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INSTITUTIONAL BEGINNINGS IN A WESTERN STATE.

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Of the local institutions and public acts of the early settlers of Iowa no adequate records are to be found. There are many witnesses yet living who can state what they remember, and this is almost the only source of information. The early settlers thought no more of keeping permanent records of their public or social acts than they did of their individual labors. They plowed, sowed, built houses, barns, bridges, school-houses, punished disorderly persons, defended their homes against the Indians, all as the necessity or convenience of the time made desirable. In much of their ordinary work by co-operation they helped each other. It would require a wise man often to distinguish between acts which were not public and those which should be called such. The early settlers made no distinction and kept no permanent record of either. Even the claim associations upon whose acts the titles to their homes rested have left almost no records. There were scores of these organizations in the State, and, after extended inquiry, I find records of only one. These are the property of Colonel Trowbridge, of Iowa City, Secretary of the Claim Association of Johnson County. He has kept a complete set of records for that county. In preparing the following sketch

I have relied upon the personal testimony of living witnesses for much of the information used.

On the 17th of June, 1830, the miners of Dubuque assembled around an old cotton-wood log, stranded on an island, and appointed a committee of five miners to draw up regulations for their government. They reported the following: "We, a committee, having been chosen to draft certain rules and regulations by which we, as miners, will be governed, and having duly considered the subject, do unanimously agree that we will be governed by the regulations on the east side of the Mississippi river, with the following exceptions, to-wit:

"*Article 1.* That each and every man shall hold two hundred yards square of ground, working said ground one day in six.

"*Article 2.* We further agree that there shall be chosen, by a majority of the miners present, a person who shall hold this article and grant letters of arbitration on application having been made, and that said letters of arbitration shall be obligatory on the parties concerned so applying."

These articles were adopted and Dr. Francis Jarret was chosen as the "person who should hold the article and grant letters of arbitration." (Hist. Dubuque Co., p. 341). These are believed to be the first laws for the government of white men adopted on the soil of Iowa. These laws proceeded directly from the persons who were to be governed by them, viz.: Americans from across the river in the State of Illinois. They agreed to be governed by the regulations on the east side of the river with specific exceptions. The exceptions were written down; the "regulations," or the code of Illinois under which they agreed to live, each man carried in his own head.

They were miners; they came to work the lead mines. The land which they proposed to parcel out among themselves in squares of two hundred yards each belonged to the Sac and Fox Indians. For more than two years these miners carried on an unequal contest with the United States troops who were sent to protect the rights of the Indians. They

were not only governed by the "regulations on the east side," but they were compelled to live on the east side the greater part of the time. Yet they clung with desperation to their "claims," and when, by the terms of the Black-Hawk Purchase in 1833, the land came into the hands of the United States government, they were there to make good their "claims." The code drawn up beside the cotton-wood log was still in force. Each took his claim as the code provides. As to the provision for arbitration in the settlement of disputes, the local historian remarks that they "generally took the law into their own hands."

In less than a year from June 10, 1833, when the Indian title was extinguished, more than two thousand persons were living in Dubuque. They had no authorized government. Congress had made no provision for settling the territory; the settlers provided for their own needs as best they could.

In May, 1834, occurred a cold-blooded murder. Patrick O'Conner shot George O'Keaf, apparently without provocation. Immediately after the shooting a great crowd assembled. O'Connor was asked why he had shot O'Keaf. He replied: "That is my business." The enraged miners proposed to hang him at once, but the more discreet advised that he be taken to town and the affair be fully investigated. This was done, and the 20th of May was set for the trial. A large crowd gathered. On motion Captain White was appointed to conduct the prosecution. The prisoner selected Captain Bates as his attorney. A jury of twelve men was chosen by the prisoner. They were seated on a log in front of him and he was asked if he had any objections to the jury. He said he had none. Witnesses were examined and brief addresses made by the attorneys. Captain Bates tried to persuade the citizens to send the accused across the river where he could be tried by law. Captain White replied that they had tried that plan before, and the courts in Illinois held that they had no jurisdiction. The case went to the jury, and, after a brief conference, the following verdict was returned signed by every juryman in his own hand:

"We, the undersigned residents of the Dubuque Lead

Mines, having been chosen by Patrick O'Connor and empannelled as a jury to try the matter wherein Patrick O'Connor is charged with the murder of George O'Keaf, do find the said Patrick O'Connor guilty of murder in the first degree, and ought to be, and is by us sentenced to be hung by the neck until he is dead; which sentence shall take effect on Tuesday, the 20th day of June, 1834, at one o'clock P. M."

During the month intervening before the sentence was to be executed a priest appeared as the friend of the prisoner, and a movement was made to have him released or pardoned. Application for pardon was made to the Governor of Missouri (Iowa had at one time been attached to Missouri). He replied that he had no authority in the case, and referred the petitioners to the President of the United States. President Jackson likewise replied that the laws of the United States had not been extended over the newly purchased territory, and that he had no authority in the case. He suggested that the pardoning power rested with those who had passed the sentence.

The 20th of June came. The town was policed with one hundred and fifty armed citizens. Minute preparations had been made for the hanging. At one o'clock the marshal, standing in a hollow square formed by armed citizens, gave the signal and Patrick O'Connor was executed. A collection was then taken to meet the expenses of trial, imprisonment, and execution.

This is believed to be the first instance of trial for murder within the limits of Iowa, and, if there was any default of justice, it was not on account of the technicalities of the law. Patrick O'Connor was not a victim of mob violence. He was rescued from the mob by lawfully disposed citizens. He had all the advantages of a fair trial which the circumstances of the case would admit.

Dubuque was a mining town. A large part of the early settlers were men without families, or whose families lived elsewhere. Settlers came into other parts of Iowa before the Indian title was extinguished. At Burlington "claims" were taken as early as 1829, and settlers came in 1832.

These were families who came to found homes. The first organization for local government occurred in 1833. From the list of resolutions adopted by these settlers only these two are preserved: (1) "*Resolved*, That any person or persons allowing the Indians to have whiskey on any account whatever shall forfeit all the whiskey he or they shall have on hand, and likewise the confidence and protection of this Association. (2) *Resolved*, That any person harboring or protecting a refugee who, to evade justice, has fled from other sections of the Union, shall be delivered with such refugee on the other side of the River." These may be accepted as typical fragments of many resolutions and by-laws adopted by settlers on the west side of the river during the few years in which they were left without authorized and efficient government.

In November, 1837, a convention was held in Burlington to consider the question of organizing a territorial government. The following is a portion of the memorial to Congress adopted by this convention: "From June, 1833, until June, 1834, a period of one year, there was not even a shadow of government or law in all western Wisconsin. In June, 1834, Congress attached her to the then existing Territory of Michigan, of which Territory she nominally continued a part until 1836, a period of little more than two years. During the whole of this time, the whole country west, sufficient of itself for a respectable State, was included in the two counties of Dubuque and Des Moines. In each of these two counties there were holden, during the said term of two years, two terms of a county court (a court of inferior jurisdiction), as the only source of judicial relief up to the passage of the act of Congress creating the Territory of Wisconsin. That act took effect the 3rd day of July, 1836, and the first judicial relief under that act was at the April term following, 1837, a period of nine months after its passage; subsequent to which time there has been a court holden in one solitary county in Western Wisconsin only. This, your memorialists are aware, has recently been owing to

the unfortunate disposition* of the esteemed and meritorious Judge of our district; but they are equally aware of the fact that had Western Wisconsin existed under a separate organization we should have found relief in the services of other members of the judiciary, who are at present, in consequence of the great extent of our Territory, and the small number of judges, dispersed at too great a distance and too constantly engaged in the discharge of the duties of their own district, to be enabled to afford relief to other portions of the Territory. Thus, with a population of not less than twenty-five thousand now, and of near half that number at the organization of the Territory [of Wisconsin], it will appear that we have existed as a portion of an organized Territory for sixteen months with but one term of court only."

From these memorialists one gets the impression that the dwellers on the west side of the Mississippi were sorely in need of authorized civil government, that twenty-five thousand people were practically destitute of government. Yet, if you ask the average early settler how this was, he will probably tell you that they had a better government than than they have enjoyed since. They had county governments and local voluntary associations. Their laws were just such as they needed, and were promptly and faithfully executed. Here is an apparent conflict of testimony. The men assembled in Burlington were urging upon Congress the need of a new territorial government west of the Mississippi. They stated their case as strongly as they could. They had in mind especially the more general needs of the settlers, and spoke particularly of a demand for higher territorial courts. They were men who expected to have a personal share in framing the proposed territorial government.

On the other hand the average settler, who will with great emphasis tell you that these first years were the golden age of civil government in Iowa, has in mind especially the local neighborhood government which he himself helped to make, and of which he was a part. If it is of any interest to know what twenty-five thousand Americans will do when

*Indisposition; the judge was sick!

left to themselves in a new country, these first few years in the history of Iowa ought not to be neglected.

One part of this history may be easily traced—that of Land Claims. With the exception of the miners of Dubuque nearly all the early settlers in Iowa came to secure homes. The land belonged to the United States. No surveys had been made; there was no legal provision for settlement. How shall each settler be made secure in the possession of his home until such time as the government shall give him a title, and how can he prevent the government from selling the land with all of his improvements to some one else?

It has been said that if three Americans meet to talk over an item of business, the first thing they do is to organize. The pioneers in all parts of Iowa organized Land Leagues, Clubs or Claims Associations. These organizations differed in minor details, but in their main features they were the same.* (1). There was a provision as to the amount of land in a "claim." In some cases this was four hundred and eighty acres, in others it was one hundred and sixty acres. There was sometimes a provision as to what part should be prairie and what part timber. (2). There was a provision as to the amount of improvement required to hold the claim in cases where the claim was not occupied. (3). There was a provision as to occupancy. Desertion for a specified time or a failure to make the required improvements worked forfeiture. (4). Claims could be sold to any person approved by the organization, and the buyer had all the privileges and obligations of the original claimant. A deed was given and recorded. (5). Provisions were made for settling disputes

*John C. Calhoun, in a speech made in the senate, January 27, 1838, on a Bill to grant Pre-emption Rights to Actual Settlers, said that "if he was rightly informed the Iowa country had already been seized on by a lawless body of armed men, who had parcelled out the whole region, and had entered into written stipulations to stand by and protect each other—and who were actually exercising the right of ownership and sovereignty over it—permitting none to settle without their leave—and exacting more for the license to settle than the government does for the land itself," (Calhoun's Works, Vol. III., p. 135). The uniform testimony of the early settler contradicts the statement that any were denied the right to settle or that any license to settle was collected or that more than a small fraction of the land had been claimed; and of course they deny that they were a lawless body of armed men. If one can find any thing else in the paragraph quoted, it may be accepted as true.

between claimants. As the government surveys had not been made, each claimant could have his amount of land, but he could not tell where his lines would be. Valuable improvements were made before the surveys; this naturally gave rise to difficulties and disputes. Provisions for settling these were of different sorts. The members of the organization bound themselves to abide by the decisions of courts established by the association; or difficulties were settled in mass meeting; or special arbiters were chosen to settle special cases; or a neighboring organization was invited to assist in settling a difficulty. In one or another of these ways nearly all cases were adjusted in an orderly way. (6). There were provisions for securing the enforcement of all decisions and for protecting their claims against outside parties.

It is not easy to learn exactly how the decisions of these Claim Associations were enforced. All agree that every man was pledged "to do his duty" in case there was "a difficulty." As to just what this "duty" was there is not a uniformity of testimony. Expulsion from the association, tar and feathers, warning to leave the country, and death, are among the penalties mentioned for violating the laws of the associations. Some of the local historians state that executions occurred, or blood was shed in defense of land claims; but I find no authenticated case of that sort.* I find, however, living witnesses who testify that they were present when tar and feathers were administered to an offender. Others testify that they saw a man knocked down and dragged out of the crowd, who at the land sale offered a bid contrary to the orders of the association.†

*The nearest approach to an execution by the authority of the Claim Association that I have met with, is in the case of a man who violated the claim laws by pre-empting a claim. He tried to flee the country, was caught by the agents of the association, and was so frightened that he stuck a knife into his own body with the intention, it is believed, of committing suicide. He recovered, however, from the wound.

John C. Calhoun, in the speech already noticed, stated that the lives of several intruders had paid the forfeit.

†One minister of the gospel explains to me how he saved a man from "trouble," who had taken a widow's claim, by telling him that he would have "trouble" if he did not do justice by the widow.

In the eastern part of the State the Claim Associations usually terminated with the public land sale in the locality. Previous to this public sale no land could be bought. At the land sale, according to the United States statute, all land should be sold to the highest bidder. According to the decisions of the associations this land could be sold to no one but the recognized claimant, and it should all be sold at the minimum price, one dollar and twenty-five cents per acre. At the time of these land sales this public land was occupied by thriving towns and villages. Some of it was worth more than a hundred dollars an acre. The supreme moment then for the association was that of the land sale. Each claimant was expected to be ready with his cash, attend the sale and secure his home. It might be expected that under such circumstances the public land sales would be occasions of great excitement, but the uniform testimony is that they were orderly and quiet. If there was excitement it was internal. Every claimant in the locality covered by the public sale was pledged to be present and "do his duty." It was expected that there would be no* bids on that day for any land which had not been previously claimed. One month after the sale the land not sold was in the open market and could be bought for a dollar and a quarter per acre. For purposes of greater security to the claimants, all the claims were bidden in by one man, their representative. All the business of the day was between the United States official and the representative of the claimants, who attended the sale to prevent others from bidding. It seldom happened that this was attempted. When it did occur it was the "duty" of the nearest man to "Strike! for his altars and his fires!" to "knock the stranger sensible!" before his bid was recognized. So rare was such an event that nearly every public land sale passed off in a quiet, monotonous way.

In some parts of the State further west, the land came into the market without a public sale.† Here the Claim

*In cases where the claimants felt secure they allowed outside parties to bid for the land not claimed.

†In 1841 Congress passed a general Pre-emption Law giving to the settler the right to purchase at the minimum price (\$1.25 per acre), one hundred and sixty acres of

Associations encountered greater difficulties. The pioneers could hold their claims without difficulty until their land became valuable; then, if they did not "enter" the land themselves, it was liable to be taken from them by some person from the East. The Associations were effectual guards against their land being entered by persons living in the country. In such cases the purchaser of an improved claim was often forced to make a deed to the claimant.

If there had been a statute of the United States to the effect that all persons so disposed were privileged to go into the territory west of the Mississippi, and there select for themselves lands from the public domain; each neighborhood of actual settlers having full power to adopt rules and regulations for their own government and enforce them as best they could until such time as the United States should provide for them a government; and all claims, contracts, and proceedings of these local governments or contracts made in pursuance of the acts of these local governments should be deemed valid by the United States government whenever said government should be established;—if there had been such a statute of the United States, then the early settlers in Iowa would have been acting in accordance with the letter and the spirit of the law. But there was no such statute.* On the contrary, there was an unrepealed statute passed in 1807, forbidding settlements on lands ceded to the United States until authorized by law. There was no law authorizing settlements in Iowa. According to the letter of the law the settlers in Iowa were subject to removal, fine and imprisonment. This is one of the many cases in our history where "the broad and beaten path of custom leading directly across it (the statute) had obliterated every apparent vestige of its existence."

land on which he had lived a year and had erected a log cabin. After this date claim associations were formed and continued in Iowa for the purpose of *supplementing* the law. According to the law, timber land might all be taken by those who first arrived. The association divided up the timber-lands into small lots so that each settler should have a portion. Again, the law allowed only one year to the settler in which to purchase his land. The association was much more liberal with him than that.

*This applies to the period previous to 1841, when the Pre-emption law was passed.

One of the first acts of the territorial legislature was to legalize the sale of "lands owned by the government of the United States."* How could a settler sell lands owned by the United States? He had gone upon the land in violation of a statute of the United States; he had joined a "Claim Association" not recognized by law. This Claim Association had made various rules and regulations for appropriating public lands and apportioning them among its members. The only evidence of ownership of those lands was the fact of occupation and the records of the Association. The territorial legislature recognized these acts as legal; the statutes of the United States expressly forbade these acts. There was here a direct conflict between the territorial and the United States statutes. A case involving the validity of the territorial statute was brought before the Supreme Court of Iowa, in July, 1840. Judge Mason gave the decision. The case was *Hill vs. Smith*. Smith had sold Hill a "claim" and taken a note for \$1,000, dated January 23, 1837. Smith had sued Hill in the lower court and had obtained judgment. The case was carried to the Supreme Court on a writ of error, assigning as errors: (1) "That the note was given for a contract for the purchase of a claim to a tract of the United States lands with the improvements thereon in violation of the provisions of the several acts of Congress upon that subject; (2) That the whole contract for which said writing obligatory was given is contrary to the laws of the United States, and is therefore void."

Judge Mason, of the Supreme Court, of Iowa, in giving his decision in the case of *Hill vs. Smith*—(*Morris' Reports*, p. 70)—spoke as follows: "But the act of Congress of 1807, seems to have been intended merely to prevent the acquirement of title by occupancy, and to authorize the removal of intruders in those cases where public policy should require; but never to disturb the peaceable and industrious, whose

*"All contracts, promises, assumptions or undertakings, either written or verbal, which shall hereafter be made in good faith and without fraud, collusion or circumvention for the sale, purchase or payment of improvements made on the lands owned by the government of the United States shall be deemed valid in law or equity, and may be sued for and recovered as in other contracts." *Law of Wisconsin*, 1836, p. 23, quoted in *Hill vs. Smith*, *Morris*, p. 72.

labor was adding so much to the public wealth, changing the barren wilderness into fertile fields.* . . . But even if the act was originally intended to prevent all settlements on the public land, and if, under such circumstances, territorial legislation would have been wholly incompetent to render notes, etc., collectable which had been given in furtherance of objects illegal under the statute, there is still another matter of serious importance to be considered. Is that law for these purposes still in operation? The act in question was passed in 1807, and it is a matter of public history that since that period it has never been exercised to prevent the ordinary settlement of the public lands. . . . Nay, so far from discountenancing such settlements, special encouragements thereto have been offered. In numerous instances rewards have been conferred by acts of Congress, on those who have taken possession of, cultivated and trafficked in the public domain.† . . .

*The action of Congress on the subject of settling territory furnishes a curious and interesting study. The statute of 1807, subjecting trespassers upon the territory of the United States to removal, fine, and imprisonment was by no means a forgotten statute so far as Congress was concerned. It was before Congress many times. It was discussed with much spirit. Laws were passed excepting certain districts from the action of the law. Yet the majority in Congress, notwithstanding the fact that the law was never literally enforced, held that it was a good law, and resisted its abrogation.

†The law seems to have been kept on the statute-book by Congress out of deference to a sentiment in the older States that people ought to stay at home and not go gadding about through the wilderness in search of new homes. Generally, when a particular case was brought before Congress where trespassers upon the territory had made for themselves homes, Congress could be persuaded to exempt them from the operation of the law. Congress favored the law but was against its execution.

But, by an unusual spasm of virtue, the Senate, January 16, 1824, by a vote of eleven to thirty-two, decided that Colonel Alexander White should have no exemption from the operation of the law.

This was done after elaborate discussion. The claims common in such cases were set forth on behalf of Col. White, viz: that he had gone upon some land in Louisiana in ignorance of the law of Congress, that he had improved the land and made "the desert to blossom as the rose." In addition to these ordinary claims, there was set up the claim that Col. White had been a brave soldier. General Jackson himself was a member of the Senate and made a vigorous speech on behalf of Col. White, setting forth his eminent services at the battle of New Orleans. According to the vote of the Senate the law should be executed regardless of the character of the individual, that is, Col. White ought to be removed from the territory, fined and imprisoned. But to persons really acquainted with the local conditions this vote merely subjected Col. White to the inconvenience of forming a "Claim Association" and surrounding the land office on the day of the public sale with stalwart men who would prevent others from bidding upon the land which he had improved.

“But further than this, governments have been organized by acts of Congress for the express benefit of a community of criminals (agreeably to the notions of the counsel for the plaintiff in error), the effect and evident intention of which was to encourage and facilitate their *illicit* conduct and purposes. It is notorious that when this Territory was organized not one foot of its soil had ever been sold by the United States, and but a small portion of it (the half-breed tract) was individual property. Were we a community of trespassers, or were we to be regarded rather as occupying and improving the lands of the government by the invitation and for the benefit of the owner? Were we organized as a colony of malefactors, or shall we not rather absolve the federal government from the charge of such stupendous folly and wanton wickedness?

“Let us suppose that the next week after our territorial organization, the President had directed the marshal to remove with the least possible delay the whole of our twenty-five thousand people. Ought such a command to have been obeyed? We do not ask what would have been the determination of our settlers, but what would the strictest duty have demanded of them? We have no hesitation in saying that such a command would have been altogether illegal and ought not to have been obeyed.

“To make this appear still more evident, let us further suppose that the requisite notice to quit, having been given and disobeyed, the offenders were brought before the proper courts for trial. To say nothing of the utter impracticability of executing such a law, would the courts be justified in giving it efficacy? If so, the great masses of our citizens must be liable to be fined \$100 each, and might, in addition be hurried off to prison for the period of six months. And for what? For violating a law of which the great majority knew not the existence,—a law which had lain unexecuted for such a purpose during more than thirty years, and ever since its enactment. Would this be in accordance with the intention of the legislature? If so, the law was intended as a snare. Allurements of the most enticing kind were freely employed

to decoy the unsuspecting and the innocent within its reach. Its position and character were concealed by the dust and rubbish of a third of a century; the broad and beaten path of a custom leading directly across it had obliterated every apparent vestige of its existence.* Suddenly, and when thousands are within its reach, the net is sprung and they are enfolded in its treacherous toils. Whole communities of unoffending citizens find themselves liable to heavy amercements and long incarceration for doing acts which they had every reason to believe were patriotic and praiseworthy; for leading the way in the introduction of wealth, and civilization, and happiness into the almost illimitable west; for sacrificing the comforts and endearments of home, and enduring the hardships and privations, and encountering the diseases of a new and untried country; for building up great communities in the wilderness, enlarging the bounds of empire and vastly augmenting the current of our national revenue. For doing these acts which have redounded so much to the national advantage, done, too, in accordance with the almost express invitation of the national legislature, and when encouragement to western immigration had become a part of our settled national policy, these individuals, where they had every reason to expect rewards—nay, while on the one hand they are actually receiving such rewards, feel themselves on the other condemned to severe and even ignominious punishment. Does the spirit of our institutions justify such stupendous deception and wholesale tyranny? We answer emphatically, no!"†

*See speech made in the Senate of the United States, by Smith, of Indiana, January 14, 1841, who says, "I consider the pre-emption law merely declaratory of the custom or common law of the settlers."

†This whole subject was fully discussed in the Senate of the United States, January, 1838. This was before the land-sales in Iowa, and the condition of Iowa was the exciting cause. Henry Clay, on that occasion advocated strict enforcement of the law requiring all lands to be offered at public auction and sold to the highest bidder. Webster, on the other hand, advocated the passage of a pre-emption law for the benefit of actual settlers. The settlers' claims are clearly stated and ably argued in a speech published in Webster's Works, Vol. V., p. 391. There is a tradition among early settlers of Iowa, that Webster made a speech against them in early times, that he changed his mind and became their great champion after a visit to the West. A part of this tradition is confirmed in Curtis' Life of Webster, Vol. I., p. 574.

Then follows an allusion to Empson and Dudley, "supple instruments of the tyranny of Henry VII.," who were executed and exposed to infamy because, as Judge Mason would have us believe, they executed too rigidly obsolete and forgotten laws (Hume's Hist. Eng., Vol. III., p. 80). Judge Mason proceeds:

"Fortified by this authority we pronounce it contrary to the spirit of that Anglo-Saxon liberty, which we inherit, to revive without notice, an obsolete statute, one in relation to which long disuse and a contrary policy had induced a reasonable belief that it was no longer in force. If custom can make laws, it can, when long acquiesced in, recognized and countenanced by the the sovereign power, also repeal them. Such has been the case in the example now before us. We feel, therefore, justified in declaring that the act of March 3, 1807, so far as it would have gone to authorize the removal of the inhabitants of this Territory, or their punishment as criminals, is wholly inoperative and void; that it has been repealed by long *non user*; by the establishment of an opposite policy, and by the legislative recognition of wide-spread and long-established customs among the people of the West, which are wholly incompatible with such an operation of this statute. If this measure can be sanctioned, then there is nothing to prevent Congress from laying these snares by premeditation."

Judge Mason in rendering his decision speaks like an advocate; some passages remind one of the spirit of Seventy-Six. His decision may be flimsy law, but it is first-class history. It almost takes away the breath of a lawyer to declare that a custom of thirty years' standing can repeal a statute, yet it is a simple fact that the first homestead laws of Iowa were made by little bands of men in the different localities, who had gone upon the lands in violation of a United States statute. These homestead laws were, in the opinion of their makers, better suited for the purposes intended than any laws that Congress had made or could make. They were suited to the special needs of each locality. If the woodlands of the locality were scanty they were parceled out in

small quantities so that each should have his portion. If there were special mill privileges, these were enjoyed in common. The execution of these laws was effective, thorough, cheap and, for the most part, just. The laws, executions and decisions of the Claim Associations, the original homestead laws of Iowa, came to be recognized as law by all the powers that be.

As already stated, there was not much local government in Iowa except such as the people in the different localities formed for themselves until Iowa was organized under a separate territorial government in 1838. Yet in the acts of the Territory of Michigan may be found a record of the establishment of two counties west of the Mississippi river as early as 1834, and each county was made a township. Likewise in the records of the Territory of Wisconsin may be found a record of the establishment of two counties west of the Mississippi river as early as 1834, and each county was made a township. Likewise in the records of the Territory of Wisconsin may be found the names of sixteen counties established in Iowa, with provisions for a highly organized township system, but in the actual history of the local institutions of Iowa there is almost nothing to show for these elaborate provisions for townships.

Nor does the discrepancy between statutes and local institutions disappear with the establishment of a separate territorial government for Iowa. In the provisions of the Claim Associations and other local voluntary associations which the early settlers made for themselves, there is little discrepancy between the laws and the actual history. In the local voluntary associations no general provisions were made. Nothing was done which was not demanded by the majority; no measure adopted which was not thoroughly understood by all. But when thirteen men in one house and twenty-six men in another put their heads together for the purpose of setting up local and specific institutions for a numerous, widely scattered and rapidly increasing constituency, drawn together from all parts of the world, accustomed to different sorts of local institutions, there was a difficulty.

The first stroke of legislative proceeding from the Territorial Assembly of Iowa was a statute continuing, for the time being, the laws of the Territory of Wisconsin. To a well-instructed student of law this meant that there should be in each of the sixteen counties of Iowa a highly-organized and complicated system of township government; but, to the average farmer who lived in these counties, to continue under the laws of Wisconsin meant to continue to take care of themselves under local regulations of their own making. And the farmers of Iowa went right on living under the "laws of Wisconsin" as they understood them.

The early territorial statutes of Iowa are interesting as a study in psychology. From them we may learn how thirty-nine men under given conditions have acted and what they have done.* All the certain history we have from these official records is the bare fact that a majority of the legislators for some cause voted for certain statutes. It might be supposed that, as these legislators were chosen by the people for the express purpose of making laws for their government, there would be a correspondence between the statutes and the actual experiences of the people, so that, having the laws, you would have also the local institutions of the people. This is far from the truth; there is no reason to believe that the great body of the people ever knew anything about the

*Professor T. S. Parvin, of Iowa City, who was clerk of the Senate in the first Territorial Legislature, gives an interesting account of the inner workings of the Assembly. The members were untrained and inexperienced. They had recently come to the Territory. They knew little about the needs of the people. They had collected copies of the statutes of nearly all the States in the Union. They went wandering about among these statutes copying whatever happened to strike their fancy. There were members from nearly every State in the Union and each felt called upon to get as large a part of the statutes of his own State enacted into the laws of the new Territory as possible.

One member introduced a bill on the subject of *Jeofails*. It was read to the House and voted upon by the members under the impression that it was a private bill for the benefit of "Joe Fails," a man whom they all knew. Some of the members became impressed with the idea that the laws they were making had no earthly relations to the needs of the people so they called upon the Judges who had had experience in the courts of the Territory to prepare some laws suited to the actual needs of the people. The Judges complied with this reasonable request. Some needed laws were thus enacted; but, as these facts became known to the men of independent judgment, the theorists of the legislature, in other words, the "Joe Fails" party, they rebelled against this implied impeachment of their ability and refused to ratify the Judge-made laws.

complicated paper institutions which their representatives made for them. As an instance of discrepancy between statutes and history the early school-laws may be given. If you ask an early settler in Iowa when the State introduced public schools, he will tell you that the public-school system did not become thoroughly established till about 1854 or 1855. But were there not schools earlier than that? Yes, but they were private schools; or, they were partly private and partly public. In each neighborhood, as soon as there were enough children of school-age, a meeting of the citizens was called, a place and plan for a school-house determined upon, a day set for building, and at the appointed time they all came out and built. Then they hired a teacher and kept up the school as best they could. From the earliest Territorial statutes one would infer that schools were then established in Iowa free to all white persons between the ages of four and twenty-one. Counties were organized into districts on petition of a majority in the proposed district.* School districts were elaborately officered with seven officials for each district, and there were minute provisions for the management of schools. According to the statutes of Iowa the Territory, and afterwards the State, was abundantly and thoroughly supplied with the privileges of free public schools for all white children. The statutes are abundant and, as they are closely examined, one is convinced that they are not merely formal acts which had made their way into the records and been forgotten; they are real living laws, prepared with great care, and revised and made more elaborate at each session of the legislature. Yet, if you turn from these records and study the actual school system of the Territory and the State, you find that the free school was a plant of slow growth; that for years there were no free schools; and the great body of our citizens are today under the impression that our public-school system dates back only to about 1854.

*Schools shall be established in counties free to all white persons between the ages of four and twenty-one.

Officers of school districts are: 3 Trustees, 1 Clerk, 1 Treasurer, 1 Assessor, 1 Collector. Duties of each officer are fully given. [Territorial statute, passed January, 1839.]

Professor T. S. Parvin, who was the first man appointed to the Superintendency of Public Instruction in Iowa, states that those early law-makers knew quite well, at the time they framed their laws, that there were no public schools and could not be in the greater part of the State; but they expected to have the schools sometime, and they believed that the passing of good school-laws would have the effect of encouraging immigration. These statutes expressed a longing of the people for a time when there would be seven persons living near enough together on these prairies fitted to hold school offices and manage a public school in their various neighborhoods. In the meantime such statutes could be made immediately available for purposes of advertisement in the East and thus assist in bringing about the state of society desired.*

If there are persons who regard the bare statutes of a new country as a reliable guide to the history of the growth of its local institutions, a careful comparison of the statutes of Iowa with the local institutions of the State will disabuse them of such a notion. The real local institutions of the early settlers of Iowa are not recorded in any statute-books, and many of the institutions recorded in statute-books never had any existence.

The people of Iowa needed homestead laws; they organized Claim Associations and made for themselves homestead-laws in each neighborhood. They needed schools; they paid no attention to the elaborate system put into their statutes; they built for themselves school-houses and established schools better suited to their needs. They needed cart-

*Prof. Parvin writes for me the following: "When Governor Lucas, the first governor of Iowa Territory, had completed his first message—a message, by the way, the importance of which has never been fully appreciated—he read it to me, then his private secretary, before my copying it for the legislature. When he came to the part relating to public schools he paused, and, knowing my interest in the subject, (from my having been for a short time assistant editor of a school journal in Ohio,) he remarked, that while the subject might appear to be in advance of the times in our history, having but few children to educate and no funds to support a school system, it was still necessary to inaugurate a system, and upon a proper (the township) basis, and *especially so to inform our eastern friends* that we meant to start out right and build up a good system as fast as the population and wealth of the Territory would warrant."

roads, and made them for themselves; constructed their rude bridges or provided ferries without regard to any general statute. Sometimes, though not often, a crime was committed and the little community administered such punishment as seemed fit.*

It is not true that all the local institutions of the State were as tardy in following the lead of the statutes as were the public schools; yet it was a long time before the statutes came to be carefully observed in all local affairs. In the early history of the Territory there was provision in the statutes for a highly organized township government after the manner of Michigan, but after extended inquiry I find little evidence that such an institution ever existed in the State. The statutes which provided for the higher courts, the State institutions and the general interests of the State were observed, and, in the case of these, if you have the statute, you have generally the institution. Likewise the counties, as the more immediate agencies of the State, followed closely, in their actual organization and management, the statutes providing for them. It is only in the more remote local agencies of the State that the greatest discrepancies exist between the statutes and the institutions. In the

*One of the early settlers of Poweshiek county looked with covetous eye upon his neighbor's "claim." He wrote to the father of his neighbor's wife, who lived in Illinois, and told him that his daughter was suffering for lack of food, and advised him take her away, hoping thus to get the "claim" for himself. To this lying document he subscribed the names of the settlers in the vicinity. A man from Illinois soon appeared with the letter and the forged names in his possession. Investigation was made and they found that the woman who was reported in a starving condition had at that time the greater part of an ox in her cabin with meat all in good condition and was literally living on the fat of the land. The liar was arraigned before his enraged neighbors under the charge of slander. If he had not a fair trial he had at least a *long* trial. They devoted three days to the case. At the end of the trial a committee chosen for the purpose reported resolutions to the effect that the defendant was guilty of lying and slander, that he was unworthy of the respect and confidence of honest men, that all the citizens before whom he had been tried bound themselves to have no dealings with him. They would not buy of him nor sell to him. They would not enter his house nor receive him into their houses. They would not protect him from the storm nor warn him of the approach of danger. The resolutions as first reported by the committee contained the words "neither him nor his family." There were three daughters in the family and some of the young men objected to including the family in the "boycotting" resolutions. The words were stricken out and the resolutions received the unanimous assent of the meeting. I asked Mr. Satchel, to whom I am indebted for this account, how long he felt bound by those resolutions. He replied with great earnestness, "I feel bound by them yet"—and the trial was nearly forty years ago.

town of Grinnell for ten years after its organization the trustees of the township in which the town is located attended to the business of equalizing assessments of town property. Now according to the statute providing for the government of the town, the duty of equalizing assessments is placed in the hands of the town council. The trustees of the township lawfully attended to that business before the town government was organized, but after the organization of the town government they had no legal power over assessments within the corporate limits; yet they went right on doing that work for ten years. Another case, this, where "the broad and beaten path of custom leading directly across the statute had obliterated every apparent vestige of its existence!" This "obliteration" occurred simply because no one concerned in the execution of the law ever took any notice of the statute. A habit of doing a thing in a certain way is likely always to go right on and "obliterate" changes prescribed by a remote body unless there is some strong and vigilant power to follow up the statute and see that the changes are made. It may be right for the State to presume that every one understands the statutes when they are once duly published, but experience does not warrant such a presumption. Printed statutes seem to act upon the mind of the multitude much as does a riddle or a conundrum—Intellectual operations are paralyzed; and even when the statutes are laboriously read, they remain dead and unknown laws until explained by experts or until they are embodied or symbolized by external acts or institutions.

The work of local government in Iowa has been variously distributed between town, township, county and school district. Under the laws of the Territory of Wisconsin, in 1837, the management of the county business was placed in the hands of three commissioners whose duties were both administrative and judicial. The commissioner-system was continued in the Territory and afterward in the State till 1851, when it was displaced by a county-judge system in which nearly all the county business was transacted by one county judge. In 1861 a district court was empowered to conduct

the *judicial* business of the county while *administrative* affairs were assigned to a board of supervisors chosen—one from each civil township. This plan was continued for ten years, when the county business was placed again in the hands of three supervisors elected by the county at large. We have thus completed the circle and returned to the three commissioners minus their judicial functions.

The forms of township government have fluctuated less. Whenever and wherever there has been a township government the characteristic officers have been three trustees and a clerk. In early Territorial times the counties were not all divided into townships. The commissioners were authorized thus to divide the county whenever they believed a majority of the electors desired it.* Afterwards the law compelled them so to divide the county upon receipt of a petition signed by a majority of the voters. Until 1851 civil townships were by law "bodies corporate and politic." Since that time they have not possessed that quality.

Counties have been the chief agencies in collecting taxes; yet in early times the statutes provided both for the levying and collecting of taxes by civil townships, for local purposes. At the present time local taxes for the repair of roads are voted by the trustees of the township; for the support of schools, by the board of directors of school districts or by the electors of the school district; for incorporated towns and cities, by town or city council or by the electors of the same; for the support of county institutions, by the board of supervisors or the electors of the county; for the support of State institutions, by the General Assembly of the State. These taxes are all voted under limitations imposed by the constitution or the statutes of the State, and the amount of the tax voted in each case is given to the county auditor who is clerk of the board of supervisors for the county. The auditor has also placed in his hands the assessment lists. It is the duty of the board of supervisors of the county, to levy upon the county a sufficient sum to meet all the demands for local and State purposes. A county officer collects this tax.

*Territorial statutes, 1842.

For county and State purposes the tax is collected equally from the entire county; for local purposes within the county, the taxes are collected from the different localities as voted by the local board. Assessment, or listing of property for purposes of taxation was in early times done by a county officer. It is now in the hands of townships and incorporated towns and cities.

The care of the poor has oscillated between county and township and has become fixed mainly in the hands of the county, yet it is still the duty of the trustees of townships acting as agents of the county to render temporary aid in cases demanding it, and to send the permanently disabled to the county house. All bills are paid by the county.

The holding of general elections was in early times controlled by county officers who created voting precincts within the county. Now, each civil township is made a voting precinct, and township officers have entire charge of general elections. Town and city councils hold municipal elections, and school officers hold elections for choosing school directors.

In early times the care of roads vibrated between county and township; it is now divided between them. The county locates and owns the roads and builds important bridges.* The building of smaller bridges and the ordinary grading and repair of roads and bridges is in the hands of the townships. For this purpose the trustees are empowered to divide the township into districts, and, at the general election, the electors of each road-district select a road-master, or supervisor. It is the duty of the road-supervisor to collect a local road-tax and apply it upon the roads. This tax is paid chiefly in labor upon the roads under the direction of the supervisors; a portion, however, is collected in money which is used in building small bridges.

Many of these general statements have been made simply from examinations of the law, they have not all been fully

*The supervisors of the county decide upon the class of bridges built by the county and the class built by township.

tested by examination of the actual institutions as they existed under the law.

The early laws of the Territory and the State bear testimony to the mixed character of the population. Evidently at times in the legislature there was a disposition to exalt the civil township as a body politic, give it large powers, and invest it with true democratic qualities. But it would seem that the mere fact of abundant room and a disposition to spread out and occupy as much of the land as possible was almost fatal to all democratic tendency in local government. With a sparse population the representative county government seemed much cheaper and more natural. Certain it is that the county gained a decided ascendancy over the township in local affairs, and all local government, whether of county, township, town or city, or school-district, is representative rather than democratic. Our code still gives to the electors of all these local governments some powers over taxation and other matters; but most of these powers are not exercised except in cases of necessity. It is the habit of the people to leave all affairs of local government to the local boards. The moving of a county seat or the voting of a local tax for a railroad are about the only questions that can always be relied upon to bring out a full expression from the electors; but voting taxes and authorizing a local board to issue bonds, the settling of details about the management of schools, though placed by the code in the hands of a general meeting of the electors of the district township, are, in fact, generally left to the local board. A school-board cannot build a house without being authorized by a vote of the electors of the district at a general meeting whereof due notice has been given. This general meeting is usually attended by a portion of the school-board and such other persons as they can call in at the time. Thus, more important business which the law evidently intends shall be attended to by a larger number of those especially interested is often transacted by a *part* of the school board met and organized under the name and style of a "meeting of the electors of the school district." I have myself been

waylaid by a school officer and dragged into a room where I found a half-dozen other victims.

"Gentlemen," said the secretary of the school board, "this is the annual meeting of the electors of this district, and there is some business which *must* be attended to at this time."

Detained Elector: "I have no time to remain; this is *your business*; will you please make your motions without any speeches or explanations and we will vote just as you wish us to."

Two or three motions were made and voted upon in quick succession and the meeting adjourned in less than five minutes. Out of six hundred electors, six were present and those chiefly against their will.

This apathy does not arise from lack of interest in local affairs but from the impression that the business really belongs to the local board. The great body of the electors live in entire ignorance of these powers and duties. They are representative in their thoughts and habits, and they depend upon the boards for the right management of all local affairs. The local boards usually accept these trusts according to the intentions of the electors and really do the work committed to the electors as well as that committed to themselves.

If a proposition should be made to change the code and make the local government entirely representative in form as it seems to be in fact, it would doubtless be objected that there have been special occasions when this power of electors over local affairs has served as a wholesome check upon the local boards, and those times may recur; the law, as it is, does no harm; circumstances may arise where it may do good.

CONSTITUTION AND LAWS

FOR THE GOVERNMENT OF THE CITIZENS OF JOHNSON COUNTY IN MAKING
AND HOLDING CLAIMS, AS ADOPTED MARCH 9, 1839.

ARTICLE I.

Sect. 1. This association shall be known by the name and title of the Claim Association of Johnson County.

Sect. 2. The officers of this association shall be one President, one Vice-President, one Clerk or Recorder of claims, deeds or transfers of claims, seven Judges or adjusters of claims or boundrys, one of whom shall be qualified to administer the oath or affirmation, and whose duty it shall be to attend all judecial courts of the association, and two Marshals—all of whom shall be elected as hereinafter provided and directed.

Sect. 3. The President and Vice-President shall be elected annually by ballot of the association, and their term of office shall be for one year, commencing with the eleventh day of March, 1839, and ending with the day preceding said eleventh day of March of each and every year hereafter.

Sect. 4. The President shall have full power to keep order at all meetings of the association, decide on all questions of order, and where the association is equally divided as is customary in deliberative assemblys and such other powers as is hereinafter expressed and defined and none others.

Sect. 5. The Vice President shall in the absence of the President exercise all the duties, powers and privileges of the President, and shall be governed by the laws and regulations governing the President.

Sect. 6. The President shall have power to call a meeting of the association at any time he may think public interest demands it, provided all such meetings be called in pursuance of ten days public notice thereof and such public notices specify the time and place of such meeting, and that said public notices be posted at five or more of the most public places in the county.

Sect. 7. The Clerk or Recorder shall be elected annually by ballot of the association for a term of one year, commencing with the eleventh day of March, 1839, and ending with the day preceding said 11th day of March of each and every year hereafter.

Sect. 8. The duties of the Clerk or Recorder shall be to keep a fair record of all proceedings of the association at each and every meeting, record all claims that may be left with him and in the order they may be deposited and indorse the time such claim was handed in for record, and record all transfers or deeds or assignments of deeds regularly and in the order they may be deposited and indorse the same with the time they were deposited and the page they have been recorded on. The Clerk shall have some stated place of residence, and in case of removal he shall give

public notice thereof and state where he has removed to. And previous to his entering on the duties of his office he shall apply to the President for a certificate of election and take an oath or affirmation that he will well and truly discharge all the duties of his office without fear, favor or affection to the best of his abilities, and it shall further be the duty of the Clerk to furnish a book for the association and enter all the proceedings in said Book and make all records in said Book and carefully preserve all papers belonging to the association. The Clerk or Recorder may deputize any person to assist or act in his absence but shall be responsible for all acts of said deputy in the capacity of Clerk or Recorder.

Sect. 9. The Judges or adjusters of claims shall be elected annually and for a term of one year commencing with the 11th day of March, 1839, and ending with the day preceding said eleventh day of March of each and every year hereafter. The duties and powers of the judges or adjusters of claims shall be to decide on all questions of dispute relative to the rights of claims or parts of claims as the case may be and settle all disputed lines or boundrys between members of this association or members of this association and any other individuals, and make returns in writing to the Clerk the manner all cases brought before them have been disposed of—any five of the Judges elect that shall compose a court and any three of such court agreeing in any case brought before them shall be a final decision in the case. No evidence shall be received but such as is recognized by the laws of the Territory as legal in common law. And all evidence shall be on oath or affirmation. The judges or adjusters shall be required previous to their entering on the duties of their office, to apply to the President of the association for a certificate of election, and take an oath or affirmation that they will well and truly discharge the duties of their office without fear, favor, or affection to the best of their abilities.

Sect. 10. The Marshalls shall be elected as other officers, and their term of office shall commence and expire as the other officers of this association. And their duties shall be to serve all processes that may be handed them, and make return thereof as directed and to enforce all decisions of the judicial court and all other laws of the association, and they shall have full power to demand the assistance of a sufficient number of the members of this association if they find it necessary to carry all decisions and laws into effect.

ARTICLE II.

Sect. 1. The salaries of the officers of this association shall be as hereinafter provided for.

The Clerk or Recorder shall receive Twenty-five cents for Recording each and every claim, and fifty cents for every deed or conveyance to be paid by the persons wishing such record made, and in all cases he may require his fees in advance; and Twelve & a half cents for the privilege of examining his Book, provided honerary members having entered their claims, shall have the privilege of examining said Books for information relative to their own claim free of any charge.

Sect. 2. The Judges shall receive One Dollar and fifty Cents, and the Marshals shall receive One Dollar and Fifty Cents, for every day spent in discharge of the duties of their respective offices.

ARTICLE III.

Sect. 1. All members of the association shall be required in making claims, to stake them off or blaze them in such a manner, that the lines of such claims can be easily traced or followed and all claims thus made in order to be respected must be entered on record and there as fully and accurately described as practicable, giving the names of the creek, river, or branch where such shall be the boundrys on any side, and where bounded by other claims, give the owners name of such claim if known. And where the lands have been surveyed, they shall be required to give the range, Township, and qr. Section as is customary in describing surveyed Lands. And further, persons making claims shall be required to put the initials of their names either on a tree or stake at each corner of their claims. No person shall hold more than 480 acres, or three quarter sections of land by making claim thereto. And this quantity shall in all cases be recognized and constituted a claim, let the same lye in a boddry or detached parcels, provided however that said claim is not in more than three separate and detached parcels. All persons wishing their claims recorded, shall hand them in to the recorder in writing with their signature thereto.

All deeds of conveyance shall be admitted to record, and all assignments of Deeds and the first so recorded or admitted for Record, shall have the preference.

Persons purchasing claims or parts of claims, shall in all cases be required before the Clerk to state on honor that the amount specified in the deed or transcript is the actual amount paid for such claim or part of claim as the case may be, and that the purchase is valid and in good faith, and that it has not been made to evade the law restricting persons in making claims to 480 acres, or three quarter sections. This clause shall not be so construed as to deprive persons, who sell their claims or a part thereof, taking another or a part as the case may be. Nor shall it be so construed that persons perchasing, shall be deprived of the privalege of making a claim. Nor shall any person or persons be entitled to make a claim from the fact of their having swaped or exchanged claims. Any person purchasing a claim and refusing to pay for it, shall forfeit all claim thereto, and such claim thus forfeited shall revert back to the person selling such claim. All persons having sold or purchased claims previous to the organization of this association, and the adoption of the laws for the government of said association, shall be entitled to all the privaleges and rights the laws of this association extend to those selling or purchasing after the adoption of said laws.

Sect. 2. Any white male person over the age of eighteen, can become a member of this association by signing the laws, rules and regulations, governing the association. No member of the association shall have the privalege of voting on a question to change any article of the Constitu-

tion, or laws of the association unless he is a resident citizen of the County and a claim holder. Nor shall any member be entitled to vote for officers of this association, unless they are claim holders. Actual citizens of the County over the age of seventeen who are acting for themselves and dependent on their own exertions and labour for a lively hood, and whose parents do not reside within the limits of the Territory, can become members of this association, and entitled to all the privaleges of members. No member can be declared elected to an office of the association, unless said person shall have received a majority of the votes of the members present entitled to vote, when such election shall take place. Any law or article of the constitution of this association, may be altered at the Semiannual meetings and at no other meetings, provided however, that three fifth of the members present who are resident citizens of the county and actual claim holders, shall be in favour of such change or ammdement, *except that section fixing the quantity of land that every member is entitled to hold by claim, and that section shall remain unaltered.*

Sect. 3. The semiannual meeting of this association shall take place on the first monday of February and August of each year here after, and the election of all officers shall be had at the February meeting after the first, which first election shall be had immediately after the adoption of the foregoing laws.

Sect. 4. In case of vacancy in any of the offices of the association, the President shall have power to fill such vacancy until the first semiannual meeting that may occur after such vacancy may have taken place. And then there shall be a special election held to fill such vacancy, until the annual election.

Sect. 5. All persons who have resided within the limits of the County for Two months shall be recognized and considered citizens of the county.

Sect. 6. Members of the association who are not citizens of the County, shall be required in making claims to expend in improvements on each claim he or they may have made or may make, the ammount of fifty Dollars within six months of the date of making such claim or claims. And fifty Dollars every Six Months thereafter until such person or persons become citizens of the County or forfeit the same.

Sect. 7. All persons residing in the County at the adoption of the foregoing laws shall be entitled to the privalege of voting at this meeting, but after this it shall require two months residence to become a citizen of the county.

Sect. 8. All claims made after the adoption of the foregoing laws, shall be registered or offered for record, within ten days after the making thereof. And all persons making claims after the adoption of the foregoing laws shall be required in presenting his or their claim for record, to state on honour before the recorder that such claim or claims has not been previously made, or if made that they have been forfeited by the laws of this association to his or their personal knowledge.

Sect. 9. All resident members whoos claims has been made previous to the adoption of the foregoing laws, shall have the privalege of thirty days

to have the same recorded in. And those who have made claims previous to the adoption of the foregoing laws who are not citizens of the county, shall have ninety days to have the same recorded in. And no person or persons shall have the privilege of registering claims in the name of non resident persons.

Sect. 10. All trials or disputed cases shall be brought before the Judicial Court in the following—Any member of the Association or the agent of any member of the association, who is authorized to act as agent in writing for such person or persons believing their rights have been intruded on, shall apply to any one of the seven Judges who compose the Judicial Court, and the Judge so applied to shall appoint a place and time for a meeting of the court, and in Writing authorize the Marshalls to summons a sufficient number of Judges to attend to compose a court at such place, as he may deem most expedient to hold said court. And further the Judge so applied to shall in writing autherise the Marshall to summons all persons whoos testimony may be necessary in said case, and to autherise the Marshalls to notify the defendant in such case of the place and time of holding such Court, and summons all witnesses that either of the parties may require. The Court may previous to their proceeding to investigate any case require the plaintiff and defendant, to deposit each a sufficient sum of money in their hands to defray the expense of said suit or the costs of said suit, and should either party refuse to deposit such sum of money, the court may render judgment against such person refusing so to do. The Court shall in all cases brought before them, be governed in their decissions by the laws of this association, equity & Justice.

Sect. 11. Any member refusing to be governed by the laws of the association, or decisions of the court, shall no longer be considered a member, and his name shall be stricken from the association. For the faithful observance and maintainance of all the foregoing laws, we mutaly pledge our honours and subscribe our names hereunto.

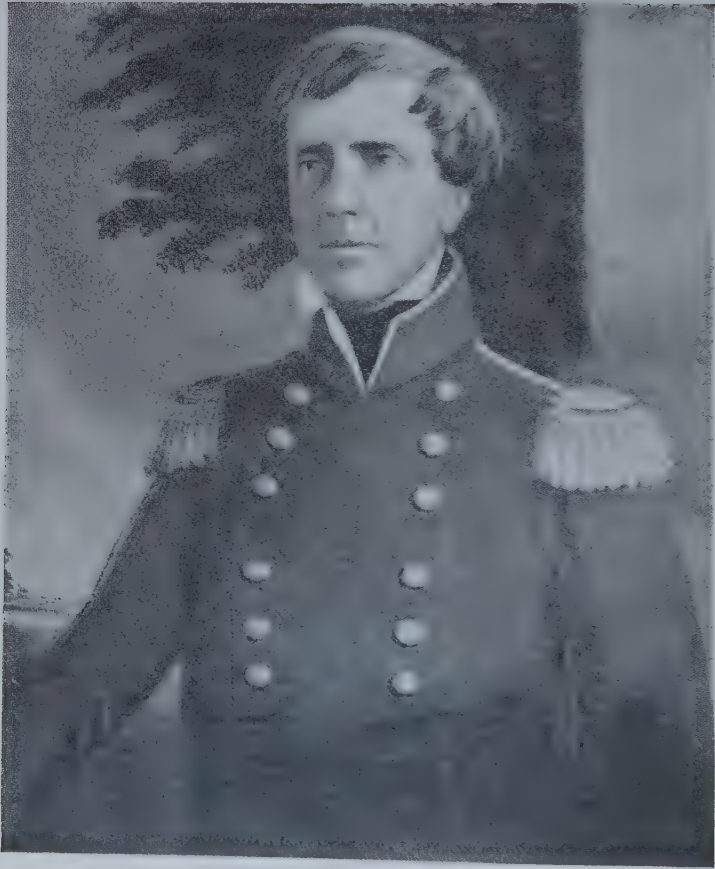
State of Iowa }
Johnson County } ss.

I. S. C. Trowbridge, do on my oath depose and say that I have carefully compared the subjoined copy of constitution and by-laws, the original of which is now in the rooms of the State Historical Society of Iowa, with the original and find the same a true and correct copy of said original. I further state that I assisted to draw or draft said original constitution and by-laws, and was the first President under the same, and that the same are the original laws & constitution under which the *Claim association of Johnson County, Iowa*, was governed and controlled—Oct. 2, 1883.

S. C. TROWBRIDGE.

Subscribed & Sworn to by S. C. Trowbridge, before me this 2d day of October, 1883, at Iowa City, Iowa.

H. D. ROWE,
Notary Public.



STEPHEN WATTS KEARNY.

Appointed from civil life 1st Lieutenant in the Regular Army, March 12, 1812, and rose to the rank of Brig. and Brevet Major General. See note on page 369. This engraving is published here through the courtesy of Mr. Johnson Brigham, editor of *The Midland Monthly*, Des Moines, Iowa.

FORT DES MOINES (NO. 1), IOWA.*

A U. S. frontier post located on the right bank of the Mississippi river, above the mouth of the Des Moines, near the site of what is now the town of Montrose. Lat. 40° 25'. Long. 14° 30' West Wash.

The establishment of a military post at this point was an outcome of the Act of Congress (1833) which provided for the better defense of the frontier by the raising of a regiment of Dragoons to scout the country west of the Mississippi. This movement is outlined in the report of Secretary Cass dated 29 November, 1833, accompanying the President's Annual Message. He says:

"The act for the better defense of the frontiers by raising a regiment of dragoons is in process of execution. About six hundred men have been enlisted and most of the officers appointed, and five of the companies have been ordered to proceed to Fort Gibson, upon the Arkansas, where they will be stationed during the winter. The remainder of the regiment will be concentrated at Jefferson Barracks this season, and it is intended in the spring to order the whole to proceed through the extensive Indian regions between the western boundaries of Missouri and Arkansas and the Rocky Mountains. It is deemed indispensable to the peace and security of the frontiers that a respectable force should be displayed in that quarter, and that the wandering and restless tribes who roam through it should be impressed with the power of the United States by the exhibition of a corps so well qualified to excite their respect. These Indians are beyond the reach of a mere infantry force. Without stationary residences, and possessing an abundant supply of horses, and with habits admirably adapted to their use, they can be held in check only by a similar force, and by occasional display among them. Almost every year has witnessed some outrage committed by them upon our citizens, and, as many of the Indian tribes from the country this side of the Mississippi have removed and are removing to that region, we may anticipate their exposure to these predatory incursions, unless vigorous measures are adopted to repel them. We owe protection to the emigrants, and it has been solemnly promised to them; and this duty can only be fulfilled by repressing and punishing every attempt to disturb the general tranquility. Policy and humanity equally dictate this course; and there is reason to hope that the display of this force will itself render unnecessary its hostile employment."

*This article was prepared at the War Department for THE ANNALS OF IOWA.

In the execution of this project Col. Henry Dodge, with nine companies of the regiment of dragoons, left Fort Gibson on the 15th June, 1834, and entered upon the ill-fated expedition to the Pawnee country which resulted in the death of General Leavenworth* and so large a number of his officers and men from a sickness incident to the climatic changes, that reorganization of the regiment was rendered necessary, as well as its transfer to more northern latitudes. Accordingly on the return of the expedition to Fort Gibson four companies under Colonel Dodge were marched to Fort Leavenworth on the Missouri; three under Major Mason to a point on the Arkansas about 80 miles above Fort Gibson, and the remainder under Lieutenant Colonel Kearny to the region of the Des Moines. By orders from the War Department dated 19th May, 1834, the regiment of Dragoons was ordered "to take up their winter quarters in the following positions: Lieutenant Colonel Kearny with three companies, viz: Sumner's, Boone's and Browne's, on the right bank of the Mississippi, within the Indian country near the mouth of the Desmoines."

A short rest at Gibson pending the convalescence of the sick list, delayed the movements of Colonel Kearny until the season had been well advanced, although a Quartermaster's force had left Jefferson Barracks early in the summer to select the site and lay the foundations for the buildings. On the 2d September, he writes from *Camp Carrington* near Fort Gibson, "I shall leave here to-morrow with companies B, H, and I, U. S. Dragoons for the Des Moines, crossing the Missouri River at Boonville (Missouri)," adding, "I have to request that a name be given for the new post at the Des Moines, and that it may be considered as a double-ration one." The force which left Fort Gibson on the 3d of September, 1834, for the Des Moines, under the command of Lieutenant Colonel Stephen W. Kearny, consisted of Company B of the regiment of Dragoons, Captain E. V. Sumner

*Henry Leavenworth, born Conn. 10 Dec., 1783; Capt. 25th Infantry 1812; Bvt. Lieut.-Col. for distinguished services at Chippewa 1814; commanded expedition against Arickaree Indians on Missouri river; Bvt. Brig.-Gen. 10 years service 1824; Col. 3d Inf. 1825; died at CrossTimbers, near False Wachita, S. W. Ter. 21 July, 1834.

and 2d Lieutenant J. H. K. Burgwin;* Company H, which owing to the absence of Captain Boone and Lieutenant Schumburgh who had been left sick at Gibson, was also commanded by Captain Sumner; Company I, Captain J. B. Browne and Brevet 2d Lieutenant A. G. Edwards, together with an aggregate of 107 non-commissioned officers, musicians and privates. 1st Lieutenant George H. Crosman† of the 6th Infantry accompanied the command as Assistant Quartermaster, while the duties of Adjutant and Commissary were performed by Lieutenant Burgwin.

On the 26th September, Lieutenant Colonel Kearny writing from *Camp Des Moines*, reports his arrival which occurred late the preceding evening: "The quarters for the officers and soldiers," he complains, "are not as far advanced as I had expected and not a log is yet laid for stables for our horses. We shall on the 28th go to work with all our disposable force, and I hope by the close of next month we may complete the buildings, tho' they will be less comfortable and of meaner appearance, than those occupied by any other portion of the Army." He is yet uncertain as to the purposes for which he has been sent to this most isolated spot. "I should like to know," he adds, "if it is contemplated that we are to occupy this post, after the ensuing winter, and I wish to know whether I am authorized to keep away settlers from here, and how far I may proceed in doing so; also what is required of this command, while stationed here"

The winter of 1834-5 was one of unusual severity in that section and it appears from Colonel Kearny's frequent complaints that the command experienced no little suffering from uncomfortable quarters and insufficient supplies. Captain Boone joined his company during the winter, but Lieutenant

*John Henry K. Burgwin, cadet 1826-30; Bvt. 2d Lieut. 2d Infantry 1830; 2d Lieut. 1st Dragoons 1833; 1st Lieut. 1st Dragoons 1835; Capt. 1st Dragoons 1837; commanded in attack on Pueblo-de-Taos, New Mexico, and mortally wounded 4th Feb., 1847, died the 7th.

†George H. Crosman, cadet 1819-23; Bvt. 2d Lieut. 3d Infantry 1823; 2d Lieut. 6th Infantry 1823; 1st Lieut. 6th Infantry 1828; Asst. Quartermaster 1830-38; Capt. 6th Infantry 1837-46; Bvt. Major 1846; Bvt. Brig. Gen. and Bvt. Major Gen. U. S. Army 1860; died in Philadelphia, Pa., 1882, aged 84.

Crosman having been recalled to St. Louis, all the administrative duty of the Garrison devolved upon Lieut. Burgwin. On the 1st February, 1835, we find Colonel Kearny again urging upon the War Department that a name be given to the post, which up to that time he had designated as merely "the Detachment Headquarters of the Regiment of Dragoons at Camp Des Moines, Michigan Territory." On the back of this appeal we find in the familiar handwriting of Mr. Secretary Lewis Cass—"Let the post be called *Fort Des Moines*, and let it be a double-ration post."

The date and authority for the naming* of the river from which the fort takes its name in turn is involved in much obscurity. On the map made by Pere Marquette in 1681, first found in Charlevoix's narrative published in 1743, a river corresponding with this is marked "le reviere des Moingonina," which Charlevoix refers to as *Moingona*, but there is nothing in the narrative of either of these early explorers to indicate the authority for attaching the name to this particular stream. Joliet and Marquette as well as the most of the early voyageurs along the Mississippi, owed their first allegiance to the Church; a controlling cause which has had the effect of tinging many of its landmarks with names and titles of sacred subjects. If to this circumstance is added the probability recently advanced by a Canadian writer that the Illinois country had been visited prior to the voyage of Joliet and Marquette by two priests, it affords a satisfactory solution of the difficulty, *Le riviere des Moines*—the river of the monks, and not *des moyens*, as written by Wilkinson and Pike at the beginning of the present century.

The War Department at no time intended the post at the mouth of the Des Moines to be a permanent one, but rather as a point for the winter quarters of the Dragoon regiment which was to operate in the country to the westward, working gradually to the northwest limit of our Territory where it was contemplated to erect a permanent fort. On the 11th

*See note on page 101.

April, Col. Kearny reports the arrival of 79 recruits, increasing his force to an aggregate of 157, and urges upon the Department the desirability of keeping his command employed in the field as a means of discipline and instruction of which they were sadly in need. Before the receipt of this however, instructions were already on their way, which combined all the purposes of Colonel Kearny's communication. Orders of 9th March, 1835, from the Adjutant General's office, directed that—

The three companies under the command of Lieut. Colonel Kearny will proceed up the River Des Moines to the Raccoon Fork, there halt and reconnoitre the position with a view to the selection of a site for the establishment of a military post in that vicinity; on which subject Lieut. Colonel Kearny will report on his return to his winter quarters at Fort Des Moines. After having made this reconnoissance Lieut. Colonel Kearny will proceed with his command to the Sioux Villages near the highlands on the Mississippi about the 44° of North Latitude, thence taking a direction to the westward return to his original position at the mouth of the Des Moines, passing by the right bank of that river.

Colonel Kearny writes on the 5th in acknowledgment of these orders. "I shall leave here," he says, "on the 7th, to execute the duties pointed out for me in Orders No. 12. I shall take about 150 men—Company B, commanded by Brevet 2d Lieut. Turner;* Company H, by Captain Boone, and Company I, by 2d Lieut. Lea; Assistant Surgeon Wright† goes with us. The above and myself are all the officers for the march. You will see I have no Staff officer. Lieut. Burgwin, I leave here to provide forage for the ensuing winter and Captain Browne is too unwell to start with us. * * * I hope to return by the middle of August."

As this expedition was charged with the duty of selecting the site for a fort, which afterwards succeeded to the name and honors of the post at the mouth of the river, so

*Henry S. Turner, cadet 1830-34; Bvt. 2d Lieut. 1st Dragoons 1834; Adjutant 1836; Acting Asst. Adjt.-Gen. to Gen. Kearny on march to Cal.; Captain 1st Dragoons 1846; Bvt. Major for gallant conduct in battle of San Pasqual, Cal. 1846; resigned 1848; died Dec., 1881, St. Louis, Mo., aged 70.

†Joseph J. B. Wright, Asst. Surgeon 1833; Surgeon 1844; medical purveyor for army in Mexico; distinguished at battle of Cerro Gordo, and at the storming of El Molino del Rey; died Carlisle, Pa., 1878.

much of the report of Colonel Kearny as relates to his visit to the new site is subjoined:

On the 8th, (of August, 1835), he says, we reached the mouth of the Raccoon where I halted to reconnoitre the country with a view to the selection of a site for a military post in that vicinity as directed by you.

After riding over a considerable portion of the country myself, and sending off officers in different directions with a view to the same object, I could neither see, nor hear of any place, that possessed the necessary advantages, or in my opinion was suitable for the establishment of a Military Post. The point of land, in the fork, at the junction of the Raccoon with the Des Moines, would probably answer as well as any other place in that vicinity. It is about eight feet above high water mark—a narrow strip of prairie commences here, but widens out as the two rivers recede. On the opposite side of the Des Moines, which is there about 360 feet wide and $3\frac{1}{2}$ deep, being a good ford, is a great abundance of timber, Oak, Walnut, Elm, Ash, Linn and Cottonwood, which would answer for Building and firewood. We saw no Springs near the place: Wells however could be dug. About a mile up the Des Moines is a Bluff containing stone coal, and a small quantity of silicious Limestone, but apparently not enough for the necessary chimnies of a small Post, nor do I believe it can be burned in Lime. If a Post should be established there, I think stone and lime must be brought to it from near the mouth of the North Fork, a distance by Land of about 45 miles, and 60 by water. It is by land 150 miles from Fort Des Moines, and 266 by water to the mouth of the Des Moines River.

I caused a Canoe to be made in which Lieut. Lea, with a few soldiers descended the Des Moines, to its mouth, to examine the practicability of navigating it, and the means by which supplies could be obtained there. I send you his Report. Unless some obstructions are removed the navigation of the Des Moines to the Raccoon, by Boats sufficiently large to carry Stores, &c., for a Military Post, I am convinced will be at all times uncertain, and but for a very small portion of the year, practicable. Lieut. Lea thinks there are positions near the mouth of *Cedar* (96 miles by water below the Raccoon) offering more advantages for a Military Post, such as Springs, Lime Stone, and less difficulty in navigating River, than any we saw above. If a Post is established in that section of Country, the officer commanding the party sent for that purpose, should of course have discretionary power to select such place as may appear to him most favorable within such limits to distance as may be deemed necessary to restrict him.

With the views of the Department as to the object to be obtained by the establishment of a military Post at the Raccoon I am unacquainted, but I can imagine nothing to make it necessary or advisable. If it is intended as a barrier between the Sacs and Sioux, and thereby to put a stop to their predatory excursions against each other it is unnecessary—the former Indians from what I have myself seen and heard and by informa-

tion gained from persons acquainted with them, I know to be inclined to a permanent Peace, which can be easily secured by some restraints imposed upon the latter. These we now have within striking distance and they know and feel it. Their two Villages on the Des Moines (Keokuck and Openousas) containing the leading Men of the Nation are within 55 and 75 miles from Fort Des Moines. On my return, I marched with my command thro' both of them, thus making a Road from them to this Post, convincing them, they are not inaccessible to us, and that we can reach them when we think proper so to do. The Secretary of War is well acquainted with the Indian character, and he knows, that mild measures will not restrain an Indian, from gratifying his passions, when provoked, or prevent him from distinction, by the taking of a scalp when a fair opportunity offers. If a permanent peace between the above Nations of Indians is an object of much importance with the Department, I can easily effect it, if I can be authorized to repeat to them, what in 1830 by order of the then Secretary of War, they were told by Colonel Morgan,* one of the Commissioners of the treaty held at Prairie du Chien, and if I can be further authorized upon the first infraction of the Peace to pursue the offenders and punish them.

If it is not deemed expedient to grant the above authority, but a Military Post between the two Nations still thought necessary, then a post at the Raccoon is not sufficiently advanced—it should be about 100 miles above there, viz: at the Upper Fork of the Des Moines, which is the neutral ground (a strip of 40 miles) which separates them.

If a Post is required on the Des Moines to protect the frontiers of Missouri, one at the Raccoon would be altogether too far advanced.

To conclude, all the Sauk Indians (and there were many) who spoke to me, of the probability of a Military Post being established near the Raccoon were strongly and most decidedly opposed to it, giving as one of their objections, that the Whites would drive off the little game that is left in their country.

From an Inspection report of Colonel Geo. Croghan,† who visited the post on the 3d December, 1835, we are enabled to catch a glimpse of the condition of the work at that time. At the time of his visit, the garrison under the command of Lieut. Colonel Kearny consisted of Company B, Dragoons, Captain Sumner, rank and file 59, with 72 animals; Captain Boone, 49 rank and file, with 68 animals, and Company I,

*Willoughby Morgan, Capt. 12th Infantry 1812; Major 12th Infantry 1813; Major rifle 1817; Lieut. Col. 1818; Bvt. Col. 10 years faithful service 1828; Col. 1st Infantry 1830; died 14th April, 1832, at Fort Crawford.

†George Croghan, born 1791; aid in battle of Tippecanoe 1811; Capt. 17th Infantry 1812; Major 1813; distinguished in command of Ft. Stephenson, Lower Meigs 1813 and bvtd. Lieut.-Col.; Postmaster New Orleans 1824; Inspector General 1825; received gold medal from Congress for gallant conduct at Ft. Stephenson 1835; died 8 Jan., 1849, at New Orleans.

Captain Browne, 56 rank and file, with 65 animals, making a total strength of 184 officers and men, with 205 horses and mules. "The Quarters," he reports, "are of a temporary character, hastily constructed and of round logs. They are now more comfortable than they were last winter; the men since their return from the summer campaign having made in them some material and essential alterations. The roofs of several of the buildings are bad and leaky."

Concerning the health of the garrison which he regards as unnecessarily bad, and the Hospital facilities also, he says, "the building is comfortable, tho' too small to accommodate more than six or eight patients, and as there is but one ward, they must all be together. Its location too is bad, being near a creek, on the opposite side of which there is a bottom, subject to overflow whenever the Mississippi rises much above its ordinary level."

On the 6th June, 1836, Captain Sumner with all the available troops left the post for the usual summer campaign, leaving the post in command of Lieut. B. S. Roberts* of the Dragoon regiment who had recently joined from the Military Academy. At this date the garrison had reached its greatest strength and efficiency. Its officers were Captains E. V. Sumner, N. Boone and J. B. Browne, commanding their respective companies, 1st. Lieut. J. H. K. Burgwin of E Company, acting Quartermaster and Commissary, 2d Lieut. A. M. Lea of I Company and J. W. Schaumburgh of H, Brevet 2d Lieut. J. H. Hanly† of B Company and B. S. Roberts of H, the latter acting as Post Adjt., and Assistant Surg. S. P. Moore,‡ with an aggregate rank and file of 184.

The resignation of Colonel Dodge in the spring of 1836

*Benjamin Stone Roberts, cadet 1830-35; Bvt. 2d Lieut. Dragoons 1835; 1st Lieut. 1837; Asst. Geol. in N. Y. 1841; 1st Lieut. mounted riflemen 1846; Capt. 1847; Bvt. Major for gallant conduct at Chapultepec 1847; Bvt. Lieut. Col. for gallant conduct at Matamoras and Pass of Gualaxara 1847; received Jan. 15, 1849, sword of honor for Mexican war service from Iowa legislature; greatly distinguished during the rebellion—brevetted Brig. and Major Gen.; died Jan. 29, 1875, at Washington.

†John H. Hanly, cadet 1831-35; Bvt. 2d Lieut. 1st Dragoons 1835; 2d Lieut. 1st Dragoons 1836; served at Fort Des Moines, Iowa, 1835-36; died 26 May, 1836, at Ft. Leavenworth, aged 22.

‡Samuel P. Moore, Asst. Surgeon 1835; Surgeon 1848.

promoted Lieut. Colonel Kearny to the command of the regiment of Dragoons which took him to Fort Leavenworth, the headquarters of the regiment, and the command of Fort Des Moines devolved upon Captain E. V. Sumner, pending the arrival of Lieut. Col. Mason who had succeeded to the vacancy. The history of the fort up to this period, and in fact during its whole career, was uneventful. The site in every military sense had been badly chosen, its locality unhealthy, and to reach the country through which the command was expected to scout involved long and tedious marches. That the post had been maintained so long at this point was the result of the delay and irresolution of the authorities in deciding upon the site of a point farther up the Des Moines and nearer the frontier, the details of which are more fully reported in the history of Fort Des Moines, No. 2. Beyond this, the post was experiencing the inevitable difficulty that has accompanied the career of most of our frontier posts, the rapacity of land-agents and the continuous encroachments of settlers upon the lands surrounding the garrison.

On the 18th September, 1836, Colonel Mason writes the War Department:

A town has been laid off at this place and lots sold, which takes in a part of our garrison. This town has been laid off on a tract of land which I am told was granted on a grant confirmed by Congress to the heirs of one "Reddick." I have none of the Acts of Congress by me and cannot therefore more particularly point the Act confirming the grant. You will at once perceive, under the circumstances, how certain it is that we must come in collision with the citizens of this town who have already commenced to build.

I see by a letter of Colonel Kearny's to the Hon. Secretary of War dated September 27th, 1835, and his answer thereto, that some steps were about to be taken to have a reserve of two miles out from this post for military purposes. This reserve is absolutely necessary to the convenience and well being of the garrison. Independent of the town there are other parties putting up buildings within the two miles, and their object is to sell whiskey to the Indians and soldiers. All this within the country given to the half-breeds, Sacs and Foxes. I shall be glad to receive specific instructions for my government, in relation to the town and individuals erecting buildings within the two miles proposed as a reservation for this post.

On receipt of this it was immediately determined to

abandon the post without delay rather than encounter the conflict with the land-grasping element in the western section, with whom the department had already a sufficient and unpleasant experience. As a result of this policy, General Orders No. 71, from the Adjutant General's Office dated 20th October, 1836, directed that:

The Dragoon post of Fort Des Moines will be broken up without delay, and the squadron immediately proceed to join the Headquarters of the regiment at Fort Leavenworth. The Quartermaster's Department will receive and make the proper disposition of the stores and public property pertaining to the post when evacuated.

It was not however until the following summer that the arrangements necessary to an evacuation of the post were fully completed. Colonel Mason, who was absent on detached duty at St. Louis and elsewhere, remained away during the entire winter, the post being under the command of Captain J. B. Browne, with Lieut. Roberts as Adjutant. Colonel Croghan again visited the post on the 23th November, 1836, and his report affords us the last glimpse of the inner history of the Fort.

"There has been a good deal of sickness here this season," he remarks, "chiefly cases of intermittent fever, but the number on the sick reports are lessening daily. Were a garrison to be continued here much longer (and I hope it may not) a hospital should be erected, the one now occupied being inconveniently arranged, too small by one-half, and moreover badly located, near the bank of a miry creek which is stagnant during the warm months." The store houses he finds are not only too small, but are in bad repair, open in places and everywhere "full of chinks and unsafe." In concluding he refers to the matter already alluded to in the monthly report:

The company under orders to proceed to Fort Leavenworth, is filled exclusively by selection from the entire command, of such soldiers as have not less than 12 months to serve. It having departed, the garrison will then consist of the Lieut. Colonel Commandant, a Captain and a subaltern, with scarcely men enough to attend to the stable duties, as there will be many surplus horses requiring their care. And what will be the strength of this command by or before the close of next April? 18 rank and file, every other enlistment will by that time have terminated, and of the offi-

cers, it is believed that the Lieut. Colonel alone will be willing to remain in service after the commencement of the Spring.

The breaking-up process commenced on the 30th October, 1836, when B Company left the Post under the command of Captain Sumner for Fort Leavenworth.

This movement was not in accordance with the War Department order, but the carrying out of a project of the Department Commander General Atkinson,* "for the better protection of the frontier." "Still," writes General Kearny to Colonel Mason, "I do not think Company B will return to Fort Des Moines, and therefore what public property it may require and cannot bring with it, you will order to be sent to St. Louis without delay to be forwarded to this Post (Leavenworth)."

In reporting the departure of Sumner's company Colonel Mason adds:

In making the transfer ordered by the Colonel, it has taken every man from Companies H and I, who had more than one year to serve, that was off the sick report, to fill up Company B. There is now left belonging to this post but 76 men (one of which is absent in confinement), 58 of whom will be discharged during the winter and early part of the Spring, so that by the 15th May next there will be only 18 enlisted men in the two Companies which garrison the Post.

Immediately on the receipt of this letter at the War Department it was decided, in view of the situation set forth by Colonel Mason, which was supplemented a few days later by a report from the Commandant at Fort Leavenworth that the quarters at the latter post were insufficient to accommodate the Fort Des Moines garrison, that the latter had best remain at that post during the winter should its Commandant not have already complied with General Orders No. 71. Orders suspending that movement were accordingly sent to Colonel Mason, reaching him before he had concluded his arrangements to evacuate the post.

During the most of this winter the absence of Colonel Mason devolved the command upon Captain Jesse B.

*Henry Atkinson, Capt. 3d Infantry 1808; Asst. Inspector Gen. and Inspector Gen. 1813; Col. 45th Infantry 1814; trans. to 37th Infantry; Brig.-Gen. 1820; Col. 6th Infantry with Bvt. Brig. Gen. 1821; Commanded Western Army in engagement with Sac Indians 1832; died 14 June, 1842, at Jefferson Barracks, Mo.

Browne of I Company. Concerning this officer but little is known at the War Department. He entered the service as a Captain of Rangers in 1832, was transferred to the Dragoons regiment upon its organization, and accompanied his regiment to Des Moines where all of his service in the Army was performed, he resigning his commission 30 June, 1837, immediately after the abandonment of the post, in order to engage in civil pursuits. Nothing is known regarding his subsequent whereabouts.

Early in the Spring of 1837, Colonel Mason returned to the post, and on the 30th March he addresses the War Department for information as to the probable duration of the post, in order that he may regulate his requisitions for the needed supplies. In this letter he remarks: "The tow which I mentioned to you in my letter as having been laid out and taking in part of this post has been abandoned, the title of the proprietors proving not to be good." Before the receipt of this letter, however, and as there no longer existed any necessity for the keeping up of an establishment at this site, instructions had already been sent to the Commanding Officer at Jefferson Barracks to carry into effect the General Order No. 71, of 1836—"All the public property, Quartermaster and Commissary stores, will be left in charge of the Quartermaster's Department and be disposed of in the manner best suited for the public interest."

The last official communication from Fort Des Moines is dated June 1st, 1837, and signed by Lieut. Colonel Mason. He writes, "The post is this day abandoned, and the squadron takes up its march for Fort Leavenworth. It has been delayed until this date in order that the grass might be sufficiently high to afford grazing for the horses, as corn cannot be had on some parts of the route."

Of the officers who served in the command of the post, Lieutenant Colonels Kearny and Mason who became subsequently distinguished in the military and political history of the land, are treated of in the histories of other posts with whose career they were more eminently associated. To one subaltern more than the others was intrusted for a greater

period the duties of Adjutant, Quartermaster and Commissary, and who, during the absence of the command on its summer campaigns, was in command of the post. Second Lieutenant Benjamin S. Roberts joined the garrison at Des Moines from the Military Academy immediately upon his graduation, and remained with it during the whole duration of the post. His subsequent military career was most honorable, serving with high distinction during the war with Mexico, and reaching the position of Lieutenant-Colonel of the 3d Cavalry from which rank he was retired in 1870, having rendered nearly forty years active service in the Army. He died at Washington, D. C., January 29, 1875.

LIVING at headquarters as I did, I soon become intimate with Grant, not only knowing every one of his operations while it was still but an idea, but studying its execution on the spot. Grant was an uncommon fellow—the most modest, the most disinterested, and the most honest man I ever knew, with a temper that nothing could disturb and a judgment that was judicial in its comprehensiveness and wisdom. Not a great man, except morally; not an original or brilliant man, but sincere, thoughtful, deep, and gifted with courage that never faltered; when the time came to risk all he went in like a simple-hearted, unaffected, unpretending hero, whom no ill omens could deject and no triumph unduly exalt. A social, friendly man, too, fond of a pleasant joke and also ready with one; but, above all, fond of a long chat of an evening and ready to sit up with you all night talking in the cool breeze in front of his tent. Not a man of sentimentality, not demonstrative in friendship, but always holding to his friends and just even to the enemies he hated.—*Charles A. Dana's Recollections in McClure's Magazine, Jan. 1898.*

REMINISCENCES OF GEN. JAMES C. PARROTT.

BY MISS MARY R. WHITCOMB.

And I am glad that he has lived thus long.—*Bryant.*

No more interesting citizens can be found in the State of Iowa than Gen. and Mrs. James C. Parrott of Keokuk. Sixty-three years ago the General came to this section of the country. He passed the site of our present capital city, when not a trace of civilization existed within one hundred miles, when vast herds of elk, deer and buffalo roamed undisturbed over the places where now are thriving villages and growing cities. He has seen the departure of the red man and the buffalo before the advance of civilization, and the introduction of steamboats, highways, railroads, and the improvements and appliances of modern life. Nor has he been a passive onlooker, but a most active member of that army of pioneers whose courage and endurance in war and peace have brought about the development of our State and Nation.

Gen. Parrott although eighty-six years of age looks much younger. Time has dealt gently with him. He is erect and handsome, of commanding presence and dignified bearing, "every inch a soldier."

A beautiful escutcheon which hangs in his home, given to him by Torrence Post, G. A. R. and presented by his friend Dr. J. M. Shaffer, shows the extent of his military career. A brief summary is as follows: "Co. I, 1st U. S. Dragoons; Co. E, 7th Iowa infantry; battle of Belmont, Mo., wounded; in command of regiment at Fort Henry and Fort Donelson, Tenn.; in charge of Fort Donelson February 15, 1862, advanced to confederate lines and brought offers of capitulation February 16, 1862; in command of regiment at Shiloh, wounded; in command of Union Brigade, 8th, 12th and 14th Iowa, and 8th Illinois, from May 17-July 1, 1862, during siege of Corinth; served in Prentiss', Smith's and Grant's



Yours Truly
J. C. Parrott
Henrietta Parrott

GENERAL AND MRS. JAMES C. PARROTT, OF KEOKUK, IOWA.

divisions Army of the Tennessee in all its noted battles; marched with Sherman to the sea." An article contributed by Gen. Parrott on the 1st U. S. Dragoons appeared in the *Historical Record*, Vol. 6, No. 3, pp. 523-26, and a part of the history of this regiment has been fully treated by Dr. William Salter in his articles on Gen. Henry Dodge, also published in the *Historical Record*, Vol. 7, No. 3, pp. 101-119. Gen. Parrott is very probably the only surviving member of that noted regiment.

The memories of such a man are a mine of treasure, and his personal account cannot fail to throw some side lights upon the men and events of his time.

It was the writer's privilege recently to sit in the pleasant home of Gen. and Mrs. Parrott and to hear from the lips of this able, genial and courteous gentleman his recollections of those early days. This article is an attempt to present faithfully his personal story, his judgments and opinions as he gave them to the writer, but no effort has been made to reproduce his exact language.

James C. Parrott was born in Easton, Maryland, May 21, 1811. His father had been an officer in the war of 1812, but the boy was trained in the mercantile business. Later, he lived in Baltimore, where he was employed in a large shipping house. In 1831 he first visited "the west" and settled in Wheeling, West Virginia, where his uncle had a large paper-manufacturing business. Here he remained until like many other young men he was attracted to the military life. On February 10, 1834, he joined the regular army and was assigned to a regiment known as the 1st U. S. Dragoons. This regiment, "the finest ever raised in America," was composed largely of brilliant young men from aristocratic and wealthy families of the East. They entered the army with the understanding that they were to be exempt from menial service and verbal promises to that effect were given. Later these pledges were broken, and much discontent and many desertions resulted. So keenly did the officer under whom Gen. Parrott enlisted feel this lack of faith, that he soon resigned, saying that he could not face his men, and that he

would rather die than not fulfill his pledges to them. This man was Albert G. Edwards,* 2d Lieutenant Co. I, the youngest son of Ninian Edwards, first governor of Illinois. He was afterwards appointed by Lincoln sub-treasurer of the United States (the first ever appointed) and held that office at St. Louis for over twenty years.

The regiment came west to Benton Barracks and organized at Fort Gibson, Indian Territory. About half of the men were from the regular army, the other half was composed of so-called "rangers," men who had served in the Black Hawk war. The combination of these two elements was at times the cause of some unpleasantness. The regiment was finely officered. Col. Henry Dodge was in command. He was a ranger, a frontiersman, not so highly polished as some of the officers and lacking the military training, but a man whose subsequent distinguished career attested his splendid qualifications.

The regiment had as first adjutant Jefferson Davis, whom General Parrott characterizes as "one of the greatest tyrants that ever lived." He was a brilliant military man, of fine personal address, nearly six feet in height, affable towards his equals, but overbearing in disposition and inclined to show undue authority over his inferiors. Much trouble arose from the fact that he reduced to the ranks a half dozen or more sergeants, in the most arbitrary manner. Calling them up he ordered their chevrons taken from them without any charged complaint; thus exceeding the bounds of his authority. The sergeants were among the busiest men in the regiment, the office important, and bitter resentment was aroused by this unjust treatment. Complaints came to Col. Dodge: "Colonel, your adjutant has reduced my sergeant to the ranks without preferring charges." The policy pursued by Dodge, under the circumstances, was conciliatory, but at times exposed him to the charge of weakness. He would say: "Just let the thing rest quietly and I will give

*Albert G. Edwards, cadet 1827-32; 3d Lieut. mounted Rangers 1832; Bvt. 2d Lieut. 1st Dragoons 1833; resigned 1835; Brig.-Gen. Missouri militia 1862; Asst. Treas. U. S. 1865-86.

them new warrants in a few days." He was as good as his word and eventually reinstated all of the reduced men.

Gen. Parrott, although the sergeant of Co. I, had no difficulty. "I happened to be a favorite of Jefferson Davis, as he was a great crony of my captain, Browne. They liked their whiskey pretty well." The major of the regiment, Richard B. Mason,* was a regular army officer. By birth he was an aristocratic Virginian, a large portly man, six feet in height. He possessed all the peculiarities of a southerner, accentuated.

The 1st Dragoons were organized for general frontier service, and in the summer of 1834 a campaign was made west to the mountains, with the object of meeting the Camanches, Pawnee Picts and other hostile Indian tribes, and forming treaties with them. The regiment started with nearly five hundred men, but an unusual amount of sickness and other disasters eventually reduced its numbers to about one hundred ninety. At one time this small band was surrounded by 15,000 or 20,000 warriors. They were ferocious in appearance and came boldly wheeling up with every appearance of hostility. But in reality they were quite harmless, being without guns and in mortal terror of that weapon. It became the policy of the regiment to preserve this deadly fear. When guards were relieved in the morning a figure of an Indian was hastily sketched in vermilion on the trunk of a tree and used as a target. At each discharge of the guns the Indians would throw themselves on the ground in abject terror.

On this campaign they rescued the little son of Judge Martin who had been murdered by the Indians the year before. The little fellow was brought from the corn-field where he had been concealed, into a dark Indian tent filled with officers and men of the regiment. Col. Dodge took him on his knee and asked, "What is your name, sir?" "Matthew Wright Martin," was the prompt response, and as his line of

*Richard B. Mason, 2d Lieut. 8th Infantry 1817; Capt. 1819; in Black Hawk war; Major 1st Dragoons 1833; Lieut.-Col. 1836; Col. 1846; commanded forces in 10th (Cal.) dept. 1848; bvt. Brig.-Gen. 1848; died 25 July, 1850, at Jefferson Barracks, Mo.

vision cleared and the soldiers grouped about met his eyes, "Where all you white people come from?" was his first question. Gen. Parrott had in his saddle-bags two red shirts, one of which he gave to the regimental tailor, and soon the little fellow was clothed in a complete suit of bright red flannel, which gave him a most grotesque appearance. A linen sack was filled with prairie grass, fastened to the bugler's saddle horn, and upon this the little boy made his long journey of six hundred miles back to civilization. The old Indian who had been like a father to the child during his year of captivity accompanied the regiment forty or fifty miles on foot and aroused much sympathy by the grief he manifested at parting with his young charge. Upon the return to Fort Gibson a detachment of soldiers was sent with the boy to his mother in Arkansas.

On this campaign the men struck what was known as the "cross timbers;" brush and thick tangles of the grape-vine combined making an almost impenetrable thicket. They were unable to cut their way through with knives and only escaped by happening upon a buffalo trail. Millions of buffaloes were about. "You couldn't look anywhere from daylight to dark without seeing them. It is one of the greatest wonders to me that in so comparatively short a time they should have been exterminated." As a result of this expedition a satisfactory treaty was made with the Indians. It was quickly violated, however, for the following year Major Mason and his three companies were surrounded by hostile tribes in this same country and nearly perished by starvation. George Catlin, the artist, accompanied the regiment on this campaign. He is remembered as a pleasant, gentlemanly fellow. He had probably not a dollar in the world at that time. It was later that he painted the famous picture of Keokuk, which was the means of making his fortune. Gen. Parrott was a witness to an encounter Mr. Catlin had with an enraged buffalo. The artist made a gallant fight but the flank of his horse was torn open and he himself narrowly escaped death.

After this summer campaign of 1834 the regiment was

divided, and the officers separated. Four companies went into headquarters with Col. Dodge at Fort Leavenworth, three remained with Maj. Mason at Fort Gibson, and three companies, B, H and I, under Col. Stephen W. Kearny,* removed to Camp Des Moines, the present site of Montrose. Col. Kearny had been trained as a regular army officer. He was a disciplinarian of first grade, but he was idolized by his subordinates, and was one of the noblest of men. To Gen. Parrott he was like a father; there existed between them an exceedingly close and warm friendship. Col. Kearny had in earlier years undergone a court-martial with severe sentence—to serve five years without command, with no chance of promotion, with no association with the regiment. He was then a poor man and as he must choose between this sentence and dismissal from the army, he had the wisdom to submit. It was a bitter lesson, many younger officers were promoted over him, but he never regretted his decision and this severe experience doubtless was no small factor in making him the self-controlled gentleman and fine drill-master that he was. Another of Gen. Parrott's associates at that time was Capt. E. V. Sumner† of Co. B, a regular army officer, and a man of fine military acquirements.

Capt. Nathan Boone‡ of Co. H, was the youngest son of Daniel Boone the Kentucky pioneer and much resembled his famous father in taste and habit. He was at that time past middle life and one of the most celebrated woodsmen ever on the frontier, though a rather ordinary looking man, small of stature, and with little of the military about him. He was

*Stephen Watts Kearny, born Newark, N. J., 30 August, 1794; 1st Lieut. 13th Infantry 1812; distinguished in assault on Queenston Heights 1812; Bvt. Major ten years service 1823; Major 3d Infantry 1829; Lieut.-Col. 1st Dragoons 1833; Brig.-Gen. 1846; commanded army of the west and made conquest of New Mexico; Gov. of Cal. 1847; died 31 October, 1848, at Vera Cruz.

†Edwin Vose Sumner, born in Boston, 1797; 2d Lieut. 2d Infantry 1819; served in Black Hawk war; Capt. Dragoons 1833; Major 2d Dragoons 1846; brevetted Lieut.-Col. for gallant conduct in battle of Cerro Gordo 1847; brevetted Col. for gallant conduct at El Molino del Rey 1847; governor New Mexico 1851-53; he rose to the rank of Major-General during civil war; died at Syracuse, N. Y., 1863, while on his way to take charge of the Department of the Missouri.

‡Nathan Boone, Capt. Rangers 1812; Maj. mounted Rangers 1813; Capt. mounted Rangers 1832; Capt. 1st Dragoons 1833; Major 1st Dragoons 1847; Lieut.-Col. 2d Dragoons 1850.

much loved by his men to whom he was friend and father. When horses were lost it was always Capt. Boone who attended to the details of finding them. Many times Gen. Parrott has seen him carefully adjust his glasses, dismount his horse and get down on hands and knees to examine closely the ground for some trail. Co. H were mounted on light sorrels, and so he might shout, "No, boys, that was not our horse, that was a gray."

Capt. Jesse B. Browne, who commanded Co. I, was a fine specimen of physical manhood, in height six feet, seven and three-fourths inches. Many stories are told of his rashness and dissipation and it is probably true that he was forced to resign. But he was a man of many fine qualities and commanded the respect of his associates and was honored by them. In after years he engaged in the mercantile business at Fort Madison with Gen. Parrott. Later he entered politics and in 1838 was elected president of the first territorial council of Iowa, "receiving the whole number of votes given." In 1846 he was elected speaker of the house in the first general assembly of the State of Iowa. Gov. Lucas on January 9, 1839, appointed him major-general of the Iowa militia. In 1850 he served as one of the official visitors at the West Point military academy examinations. He died at Lexington, Kentucky, in 1864.

The site chosen for camp Des Moines, now occupied by the pretty little town of Montrose, had been under cultivation. The government purchased it of the owner, Capt. James White, for six hundred dollars. When the detachment reached the point in September, 1834, the quartermaster from St. Louis was erecting the buildings. The double log cabin built by Capt. White was turned into a hospital and after a month in tents the men moved into comfortable quarters. Gen. Parrott as 1st sergeant kept a regular office. The social life was pleasant, although it must be confessed a great deal of gambling went on among the soldiers, especially after pay day. There were about ten or twelve women and children in camp. Col. Kearny had with him his wife and children. Captains Sumner and Browne also had their wives

with them. The soldiers built a house of willow timber for Col. Kearny and his family, in the fall of 1834. In the spring the willows (always ready to grow with half a chance) sprouted and formed a beautiful green arbor, making the "prettiest house you ever saw."

One of the most fascinating men about the camp was the half-breed interpreter Frank Labashure (his mother being a French woman), an able and brilliant man. He had been educated by the Catholics in St. Louis and was with the regiment three years. He furnished constant entertainment for the soldiers, but was addicted to the use of whiskey. He died in the early forties, and lies in the old burying ground at Keokuk.

Zachary Taylor, old "Rough and Ready," spent a night at Camp Des Moines on his way to the Seminole war in Florida. He wore sky-blue breeches and coarse cowhide shoes, without ties. He was careless and slovenly in appearance, but Gen. Parrott says: "I knew when I saw him there was fight in old Zachary Taylor." His men were thoroughly devoted to him, despite the fact that he was a rigid disciplinarian. As an instance of his severity, Gen. Parrott remembers that while coming down the river he would not allow his men to travel in steamers but required them to row in Mackinaw boats to keep them in practice.

Capt. White was a notable figure in those early days. He was a typical pioneer having served in the Black Hawk war, and his big stone house on the Illinois side and his pretty daughters were greatly to the liking of the young soldiers. During the time the troops were quartered at Camp Des Moines he formed an important factor in their social life.

Many were the visits of the jovial Captain to the camp where he entertained the soldiers with stories and dances, and many were the midnight revels across the river in the stone house, participated in by the soldiers. Trouble sometimes resulted as is shown by a good story Gen. Parrott tells.

There naturally existed on the part of the town boys at Commerce (now Nauvoo) much jealousy of the brilliant young military men who sometimes superseded them in the affec-

tions of their sweethearts. To quiet matters Col. Kearny forbade the soldiers from attending the festivities at the stone house. On one occasion, however, he yielded to the earnest request of Captain White that four of the men (including Sergeant Parrott) might attend a dance. He called the young officers to him and said: "Boys, I want you to attend this party. I wish you to dress in your handsomest uniforms, and go in your best style. I'll give you a crew to row you over. Behave like gentlemen and we will see the outcome." The boys went as bidden. There were dark looks but no open trouble until all repaired to a large room on the second floor for dancing. The officers chose their partners, Gen. Parrott leading out one of the Captain's daughters. All was ready for the music but the music failed to "strike up." To avert trouble the Captain cried, "Boys it's too long between drinks," and they went below. Perhaps a little too much was taken, for when they returned the Captain's policy of conciliation seemed to be forgotten; he confronted the little fellow who played first violin and demanded an explanation. On receiving the answer, "I don't play for any d— soldiers," the Captain seized the violin (a valuable instrument and an heirloom) dashing it on the floor, breaking it into pieces. At this the town faction, twenty-five or thirty strong, made a rush on the four soldiers. They were saved by the interposition of the Captain's tall son, who took a stand in front and said, "Boys, these soldiers are here by the personal invitation of my father. They have behaved like gentlemen and if you make trouble for them it will be over my dead body." This gave the four time to escape and to reach their boat. But the end was not yet. While they rowed back they discussed the affair and decided that it was cowardly on their part to retreat after such an insult, and that it was ignominy for soldiers to be beaten by untrained country lads. So landing above camp they quietly stole down and reinforcing themselves with four or five stout fellows, rowed back to the Illinois side. Here they drew their boat well up on the beach, so that it might not be set adrift, repaired to a store and arming themselves each with a raw-

hide suddenly confronted their rivals. In the fracas which followed the town boys were unmercifully beaten, especially the little violinist, and the soldier boys returned to camp satisfied with their revenge. The next morning a delegation of town boys waited on Col. Kearny. The four culprits were called in and Gen. Parrott as spokesman told his story. The complainants acknowledged that his statement of the affair was true, and the Colonel then said to them, "Boys, I give you just half an hour to leave this garrison." But the four soldiers did not altogether escape. Gen. Parrott, who was the master spirit of the affair, and who acknowledged that he had done wrong in taking the men from camp without permission, received a reprimand which he has not yet forgotten.

In June, 1835, the three companies started from camp on a northwestern expedition. There had been some trouble between the Sacs and Foxes and the Sioux, and the object of the campaign was to settle the difficulty. At that time there were but two counties in what is now Iowa, west of the Mississippi, Dubuque and Des Moines, and only a few scattered settlements. From Camp Des Moines they passed to the left of what is now Oskaloosa. Their line of march was for a long time after known as the "dragoon's trace." They then traveled northeastward and struck the Mississippi again at Lake Pepin, where they went into camp at Wabashaw, named for the old Sioux chief. This chief was reported to be over one hundred years old and looked it. He was very emaciated in appearance and had lost one eye, probably in battle. The troops however found him to be very friendly.

On the return the regiment reached the head waters of the Des Moines river and followed down its banks to the Racoon fork. They crossed the river at a point where it was very deep and as smooth as a canal. It was full of shrubbery that formed a thick tangle and was alive with leeches. The horses and mules succeeded in swimming across, but the men relied on the aid of ropes stretched from bank to bank. Their wagon beds, constructed like boats, were easily managed. They moved down to the place where the

capital city now stands, and went into camp on the east side of the river, opposite the mouth of the Racoon.

Lieut. Albert M. Lea* (for whom the town of Albert Lea, Minnesota, is named) the talented engineer, was with the company. Gen. Parrott was his intimate friend, and when the Lieutenant was suffering from a long illness in Camp Des Moines he used regularly on Sunday mornings to write for him the letters that were forwarded to the beautiful Baltimore woman whom he afterwards married.

The soldiers while encamped at the mouth of the Racoon built a canoe from a huge cottonwood tree, axes being their only tools. In this canoe Lieut. Lee, with one other man and two Sac Indians embarked and floated down the Des Moines river to the point where Keokuk now stands. They made the trip in about twenty days. Many times they were obliged to portage their boat over the shallows. This expedition was for the purpose of locating a new fort, and no more suitable spot could be found than near the Racoon, where later Fort Des Moines No. 2 was built. When they reached the mouth of the river only the "lighter" men were there to tow the freight from the lower to the upper rapids.

The regiment followed by land reaching Camp Des Moines in fine condition after a tour of 1100 miles. The journey had been through a country beautiful then as now. The grass was of luxuriant growth, the profusion of wild flowers brilliant in the extreme. Game birds abounded. There were however not so many varieties of singing birds as now. Everywhere deer, bear, wolves and buffalo were to be seen, and along the Des Moines they met a large herd of elk. Rattlesnakes were exceedingly numerous. The men bought turtle eggs, by the bushel, of the Sioux Indians, who found them in the sand bars. The soldiers also bought "cashed

*Albert Miller Lea, cadet 1827-31; Bvt. 2d Lieut. 7th Infantry 1831; 2d Lieut. 1st Dragoons 1833; resigned 1836; chief Eng. of Tenn. 1837; U. S. commissioner to fix boundary Missouri and Iowa 1838; Asst. Eng. Baltimore & Ohio R. R. 1839-40; Brig.-Gen. Iowa militia 1840; chief clerk war department 1841; Prof. University Knoxville, Tenn., 1844-51; in rebellion, Confederate army, 1861-66; died in Texas, 1891, aged 84 years.

whiskey" of the Sioux, that is whiskey bought of the traders by the barrel and buried by the Indians in the ground to be resold when an opportunity arrived.

The officers had great confidence in Sergeant Parrott and in this same year, 1835, he was sent in pursuit of deserters. Eighteen dissatisfied men had taken a large yawl and escaped up the river. They had nine days' start but Sergeant Parrott taking his pick of horses and three men started in pursuit. One night he "scoured the village of Chicago thoroughly, going into all the saloons." At another time he lay all night at Quincy watching for that yawl. After a month's fruitless search he gave it up and returned. Shortly after a letter was received at Camp Des Moines from Chicago asking the recipient to tell Sergeant Parrott that the night he was hunting for deserters three of them were hidden in his cellar!

The companies were expected to make a campaign each season, as it served to keep the men in practice and was no more expensive than maintaining them in garrison. Accordingly in 1836 the regiment again started toward the northeast. Captain Sumner commanded the detachment. They crossed the Mississippi on horse boats; this kind of boat was propelled by the treading of horses which worked an endless chain. They went directly to Chicago, then a town of five or six thousand people. They happened there at one of the first public sale of lots. They next proceeded to Milwaukee, a town of about one thousand inhabitants. From there they advanced to Green Bay and up the Fox river. They stopped at Prairie du Chien where Colonel Zachary Taylor was stationed in command of the garrison of Fort Crawford. On their return they forded the Mississippi at Galena, and stopped for a night at Rock Island, receiving a visit from the officers there. When the regiment reached Camp Des Moines once more the "boys" who had been left in garrison had a sumptuous repast prepared for them. At the feast Capt. Sumner who had been in command of the expedition was given the place of honor. This courtesy was character-

istic of Col. Kearny, who was always ready to compliment his men.

Sergeant Parrott was given his papers of discharge and relieved from service February 10, 1837. He had served the full three years, for which he enlisted. The bright anticipations, with which he entered the army at the age of twenty-three had not all been fulfilled. But while dissatisfied with the management and to use his own words "tired of it and glad to quit," he now, after the lapse of sixty years, looks back on that time with many pleasant emotions, and although nearly all of the old comrades have passed to the other side, he holds them in tenderest remembrance.

In 1837 Gen. Parrott removed to Fort Madison, then a town of about three hundred inhabitants, and engaged in the mercantile business in partnership with his old captain, Jesse B. Browne. The visitor to Fort Madison may still see the old building used by them as a store, though the long low frame structure which then served as a hotel and which was built on ground originally occupied by the fort has disappeared. It was in this hotel that Gen. Parrott boarded. The well used was the one dug by the soldiers in 1808. This well, through the efforts of Capt. James W. Campbell, has been carefully preserved, and now, almost thirty years after, the visitor may be refreshed by a cool drink from it.

In this same hotel there lived with her guardian and his family, a gay and beautiful young girl, Miss Henrietta Buckhalter. She was born in Philadelphia, of German descent, July 20, 1820, and was educated at the Moravian Institution at Lititz, Pennsylvania, which was of the same general character as the well-known Bethlehem school. In 1837, when seventeen years of age, she came directly from her boarding school to Fort Madison. Here "like birds from a cage," she and her young cousin entered gaily into the social life of the little frontier town, danced on the long veranda overlooking the beautiful Mississippi, coquetted with Nes-se-as-kuk, Black Hawk's handsome son, and enjoyed the excitement and novelty of the situation. There were gay times at the hotel that winter, balls and parties. The Indians were about

a great deal. Black Hawk, who wintered at Devil's Creek six miles from Fort Madison, was a frequent visitor. The young people sometimes mounted their horses and following an Indian trail, went out to his lodge to take tea with Madam Black Hawk. The little grandchild strapped to a board was a great attraction. Now a wagon road passes near, and the traveller on the Burlington line crosses a bridge a short distance from this historic spot. What wonder, that on meeting handsome Sergeant Parrott, just out of service in the U. S. Dragoons, a friendship was formed between these two that culminated in marriage September 4, 1838. Mrs. Parrott delights to tell now of those early days. Of the time when Black Hawk seized and kissed her, of his handsome son always a welcome guest, of the ball at the hotel where the old chief, much enamored of the English, appeared in a British uniform, and Madam Black Hawk in a tall, wonderful hat.

Gen. Parrott had great respect and esteem for Black Hawk, a respect and esteem based on personal acquaintance with him. The old chief was a brave man, brave indeed to a fault. He was rather small of stature, and at this time perfectly bald with the exception of his scalp lock. He seemed always conscious of his mistake in having gone into the war, and mortified by the great failure that resulted. He was an interesting talker and had the power of graphic description. • He said the white men were as numerous as leaves on the trees. He told his people that it was of no use to fight against the white men as they could ascend to heaven and hold communication with the Great Spirit. He held this belief because of the fact that when in an eastern city he had once witnessed the ascent of an aeronaut. His last visit to Fort Madison was on July 4, 1838, and is described in his autobiography. He was on that day the honored guest of the citizens, "but a deep-seated melancholy was apparent in his countenance and conversation." The old spirit, when with eyes flashing fire, he cried "Black Hawk will have revenge, he will never stop until the Great Spirit shall say to him, come away," had disappeared.

In contrast to this brave old war chief was the politic Keokuk, a brilliant man, a born orator, but a coward; wily, drunken, dissipated, using policy in all he did, "squaw chief," his people called him. He never lacked for money, as the government annuities allowed him were divided into two equal parts, one for his people the other for himself. When the regiment broke up Keokuk purchased for \$250 the beautiful horse, "Napoleon," that Gen. Parrott had used during his army service, and to which he was much attached. He was of finest Kentucky blood, but in two weeks the chief, a heavy man, weighing over 200, rode the horse to death.

Gen. Parrott continued in the mercantile trade in Fort Madison until 1852. He was elected one of the trustees when the town government was first established, and later served as county treasurer and as mayor. In 1852 he removed to Keokuk, where for forty-five years he has continued to reside.

Gen. Parrott was in business in Keokuk when the war of the rebellion broke out. At that crisis he said, "My military education I owe to my country," and immediately set to work. He raised a company in Keokuk in June, 1861. The regiment was organized in Burlington the following month and the Keokuk company mustered into service at once as Co. E, 7th Iowa Infantry. J. G. Lauman of Burlington was colonel and James C. Parrott captain of the company. At St. Louis they received arms and equipments, and then did close drilling for several weeks at Ironton, Missouri. From this point they marched south to Cairo where Grant was in command. November 6, 1861, they boarded transports, steamed down the river and on the morning of the fatal 7th of November landed on the Missouri side at the little village of Belmont where the enemy was encamped. The transports were stationed up the river out of reach of the heavy guns. The attack was made with Grant in command and Logan as colonel of an Illinois regiment. They fought all day, driving the enemy away from the Missouri side, but reinforcements were sent that landed between the Union forces and their transports. Capt. Parrott was detailed to help the

regiment in an effort to cut its way through to the fleet. He rode a fatal horse. A rebel colonel had been killed while on him in the morning, a Union lieutenant-colonel later in the day and now Capt. Parrott fell pieced by four bullets—wounded in the hand, both arms, shoulder and spine. He was put on board one of the large New Orleans steamboats. It was at the time under fire and as he lay in the ladies' cabin the rebels shot away the skylights and literally covered him and the other wounded with broken glass.

When the surgeon, Dr. Amos Witter,* reached him, his verdict was that he had not two hours to live. The captain's stanch reply was—"If I haven't two minutes to live I don't want to die with a rebel ball in me." Mrs. Parrott has vivid recollections of this trying time. She was near by, at Bird's Point, Missouri, and the day before, with other ladies and several officers of the regiment, including the brilliant Col. Augustus Wentz, had attended a pecan hunt. After gathering quantities of the nuts they sat down in merriest mood to their picnic repast. Mrs. Parrott gaily sang a little German verse beginning—"Wir sitzen so fröhlich zusammen"—much to the delight of Col. Wentz. In a few hours that gallant officer was killed and Mrs. Parrott was on her way to her wounded husband. On reaching the boat she walked the length of the cabin, where three hundred dead and dying lay, to her husband's side. Her first words were: "Doctor, tell me the truth about my husband." Gen. Parrott had time to give one glance (a look the doctor said he never should forget) and the reply came in a cheerful tone—"Madam, there is nothing in the world that will kill your husband."

Grant was the last man to board the boat, and when Capt. Parrott lay in the hotel at Cairo he came in person and said: "Captain, just as soon as your surgeon pronounces you able I want you to go home, get well and come back and help us out, and when you send for the furlough I want to

*Amos Witter, born in New York, Mch. 24, 1807; served in Iowa State legislature 1851, 1855, 1860; trustee State university 1855-57; surgeon 7th Iowa Infantry 1861; post surgeon and later brigade surgeon of Lauman's brigade; died Mt. Vernon, Iowa, Mch. 13, 1862, as a result of overwork at Fort Henry and Fort Donelson.

write the order myself." Grant was as good as his word and the wounded captain went home to recuperate with this farewell—"Boys, I am coming back again and we will fight it out." That special order for his leave, in Grant's own writing, hangs in Gen. Parrott's home. Over it is a photograph of Grant taken by Gen. Parrott's son in Vicksburg after the war. The two were warm personal friends, and Gen. Parrott is very proud of the fact that "Grant considered our regiment one of the brightest he ever commanded."

Gen. Parrott took command of his old regiment again as lieutenant-colonel December, 1861, and participated in all the noted battles of the Army of the Tennessee. His was the charging brigade that captured Fort Henry. He commanded the regiment at the battle of Fort Donelson, and it was Gen. Parrott who on that memorable Sunday morning advanced and brought back offers of capitulation. The story of the gallant 2d Iowa has been often and fully told; the disgrace in which they marched out of St. Louis, with flag furled, without sound of drum; their brilliant record at Fort Donelson, where nobly leading the "forlorn hope," against fearful odds, they wiped out the earlier dishonor and won immortal fame. At the battle of Shiloh, Gen. Parrott commanded the regiment and was in the thick of the "Hornet's Nest." Two fine horses were shot under him. At the battle of Corinth he received the wound that for thirty years since has troubled him. Of his part in that engagement Col. E. W. Rice* said, "I must make special mention of Lieutenant Colonel Parrott, who, with great bravery and coolness cheered and encouraged the men to renewed vigor."

In 1865, while his command was marching through Richmond, an interesting incident occurred. Gen. Parrott was the only mounted officer on the right flank. As they approached an elegant residence, he noticed a black servant by the gate, with an immense bouquet in her hand, while back on the wide veranda stood a beautiful woman dressed in black. As the line advanced a signal passed from mis-

*Elliott Warren Rice, born Pa. 1835; Maj. 7th Iowa Infantry 1861; commissioned Col. 1862; Brig.-Gen. 1864; Maj.-Gen. 1865; died in Sioux City, Iowa, June 22, 1887.

tress to servant and the latter came forward and handed the flowers to Gen. Parrott. He brought them home to Iowa and has always thought the fair white lady was Mrs. Lee, and that he was the favored recipient because of his acknowledged resemblance to her husband, Gen. Robert E. Lee.

The "boys" had great sport on this march with the poor whites. They would call to them—"Say, mister, can you tell me where the first families of Virginia live?" They would lean on the fence, stare and listen, but give no information as to the first families of Virginia. Of the long journey through the Carolinas, 480 miles, "Col. Parrott, a man not given to the melting mood, speaks in the most exalted terms of the conduct of his gallant men throughout the march." (Ingersoll's *Iowa and the Rebellion*). "The greatest day we ever had," says Gen. Parrott, "was Sherman's grand review at Washington—Grant's old army—the army of the 'Tennessee 'that never knew defeat.' I was proud to see that our men, although many had had no new clothing for a year, were clean."

Gen. Parrott's estimate of his officers is interesting. Of his idol, Grant, he says—"No one had the qualifications for a soldier that Grant had. No one could handle an army as Grant could. There was not a man on the continent like him, he always knew when to strike." Of McPherson, that brilliant young officer, worshipped by his men as though he were a god, he says—"It was a sad day when McPherson was killed. Poor old Sherman—I don't know that he cried—but he rode about to the colonels saying 'For God's sake, Colonel, don't let the boys know McPherson is dead.'" Lee, he had known in boyhood, "The handsomest man I ever saw, with a hand so small and fine he wore a lady's glove."

Gen. Parrott left the army July 12, 1865. He never attained the rank of colonel because of the army regulation, an unjust one, that required certain numerical strength in a regiment before it could support a colonel. In honor of his gallant service, he was afterwards by act of Congress promoted to the rank of brevet brigadier general. He had the reputation of being a fine disciplinarian, but there was not

a boy or a man under him but held him in the highest esteem and respect. His men all "swore by him." One old soldier said to him in after years, "Colonel, do you know what we thought of you at Bird's Point? We thought you were a perfect tyrant, when we saw you drilling your men. They did not dare move a muscle. We could not understand it when an hour or two after you were pitching horse shoes with them." His soldiers at Belmont, although receiving meager pay at the time, made up a purse from their pittance and presented him with a beautiful sword to show their love and admiration.

In 1867 Gen. Parrott was appointed by President Johnson postmaster of Keokuk, which position he held for more than ten years. He was afterwards made justice of the peace, retaining the position until he was no longer able to attend to the duties of the office on account of growing disability. He has been honored by his old comrades and was G. A. R. Commander of the Department of Iowa in 1874-76.

Gen. Parrott and his devoted wife have lived together a longer period than is granted to many, over fifty-nine years. In the words of their friend, Gen. W. W. Belknap, they have "proved what love and affection can do in spite of darkness and clouds." Now, as the "shadows lengthen," together in closest companionship they descend life's hill, loved and honored by hosts of friends in Keokuk, Fort Madison, and throughout the State. At the Lee County Pioneers and Old Settlers' Association, held July 4, 1890, on motion of Hon. D. F. Miller, it was ordered "That Gen. J. C. Parrott be and hereby is designated by this Association the 'bravest of the brave' in Lee county, Iowa. That Henrietta Parrott, the oldest pioneer lady present and having the record of the longest continuous residence in the county, be elected Patriarchess and be presented with the badge of her position."

This is but fitting recognition of the worth of these pioneers. Gen. Parrott's early associates are gone. His active work has ceased. But perhaps in the quiet, dignified and happy life of these final years he and his devoted wife are doing their best work.

It is always difficult to estimate the total effect of any man's life and doubly so in a life like Gen. Parrott's, replete as it has been with activities, presenting scenes from the most stirring battles, and vistas of the struggles by which, within the lifetime of one generation, Iowa has been won from a wilderness to civilization. But there will always remain to his credit on the pages of history a substantial contribution to the achievements of his country and his State, and in the hearts of those who knew him the refreshing memory of a vigorous, noble manhood, of a life well spent.

RAWLINS was one of the most valuable men in the army, in my judgment. He had but a limited education, which he had picked up at the neighborhood school and in Galena, Illinois, near which place he was born and where he had worked himself into the law; but he had a very able mind, clear, strong, and not subject to hysterics. He bossed everything at Grant's headquarters. Rawlins possessed very little respect for persons, and his style of conversation was rough; I have heard him curse at Grant when, according to his judgment, the general was doing something that he thought he had better not do. But he was entirely devoted to his duty, with the clearest judgment, and perfectly fearless. Without him Grant would not have been the same man. Rawlins was essentially a good man, though he was one of the most profane men I ever knew; there was no guile in him—he was as upright and as genuine a character as I ever came across.—*Charles A. Dana's Recollections in McClure's Magazine, Jan., 1898.*

LETTERS OF HENRY DODGE TO GEN. GEORGE
W. JONES.

EDITED BY DR. WILLIAM SALTER.

(Continued from page 296.)

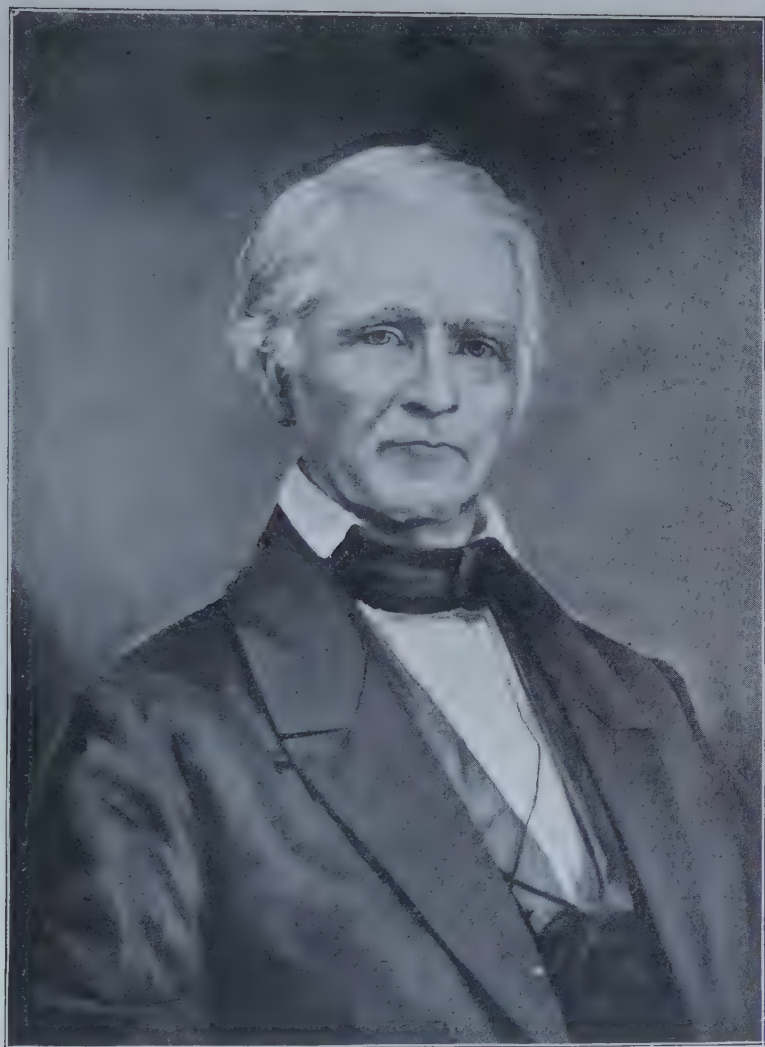
X.

Henry Dodge entered upon his office as Governor of Wisconsin Territory, July 4th, 1836. It devolved upon the Governor to take the census of the Territory and apportion the members of the Legislative Assembly to the different counties. John S. Horner was the first Secretary of the Territory, 1836; he had for a few months previous been Governor of Michigan Territory, *i. e.* of the portion west of Lake Michigan, after Michigan became a State. Wm. B. Slaughter was born in Culpepper county, Virginia, April 19, 1797, a graduate of William and Mary College, a member of the Seventh Legislative Council of Michigan Territory that met at Green Bay, January 1, 1836, wrote the memorial of that body to Congress for the establishment of Wisconsin Territory, an advocate of Cassville on the east bank of the Mississippi as the most eligible location for the capital of the new Territory, also platted the "City of the Four Lakes," a few miles from Madison, as another eligible location; he was appointed by President Van Buren the second Secretary of Wisconsin Territory; what is now Washington county, Iowa, was first named for him by the Legislature, January 18, 1838; he died at Madison, July 15, 1879.

ELK GROVE, August 16, 1836.

Col. Geo. W. Jones, Sinsinawa Mound, W. T.:

I will leave this for Green Bay on to-morrow as I have the New York Indians to treat with, and they reside in the immediate vicinity of Green Bay. I shall be able to assemble them and hold a treaty with them while the Menomonee Indians are collecting, and in the meantime runners can be collecting the Winnebagoes at Fort Winnebago. I will be on the ground to watch the course of events and the currents and counter currents that I may have to contend with. I should have holden treaties with the Sac ("Sack") and Fox Indians in the first instance but for the reasons I gave



Henry Dodge

GENERAL HENRY DODGE.

This portrait is from a photograph of an oil painting in the possession of the Wisconsin State Historical Society, for which THE ANNALS is indebted to Mr. R. G. Thwaites, Secretary of the Society. It represents the distinguished subject in his old age, after his removal to Burlington, Iowa, where he died in 1867.

you when I conversed with you on that subject. I think them the most difficult Indians to negotiate with, and favorable treaties made with the other Indians might have its influence on them.

I hope the people west of the Mississippi understand that in the relation I stand to them everything in my power will be done to promote their general prosperity. It might be well to ask the editor of the Dubuque paper (*The Dubuque Visitor*, the first newspaper published in Iowa, a copy of which is preserved in the Historical Department—*ANNALS*, Vol. I, p. 63), to inform the public that I have received instructions to hold treaties with the different nations of Indians, naming the particular Indians to be treated with. Mr. Slaughter at Green Bay enclosed me a letter to Secretary Horner proposing an exchange of offices, which I have no doubt will be accepted by this latter gentleman, as the office of Register is much the most lucrative office. I immediately mailed Mr. Horner's letter to Cassville, and hope it will suit to make the proposed change. Mr. Slaughter, I think, wants to embark in political life. He thinks he has made a fortune in land speculations.

The census returns of the inhabitants of the Mississippi counties (p. 311, *supra*) will be sent to Green Bay by express as soon as they reach Elk Grove. The returns of the Lake counties will be made to me at Green Bay, when the apportionment of the representation of the Territory will be made, and the elections ordered. I will enclose you a copy of the census returns from the different counties showing the number in each county, to be published in the Dubuque paper for the satisfaction of the people, and to let them see the basis upon which I have made the apportionment of their representation. My wish is to pursue an honest impartial course in all my public acts, and act as the Governor of the whole Territory, and not a part.

As it respects the seat of the Territorial Government I think I am not misunderstood. Wherever a majority of the representatives of the people agree on its location will meet my approbation.

XI.

Des Moines county was organized under an act of Michigan Territory, approved September 6, 1834, and embraced the part of the "Black Hawk Purchase" lying south of a line drawn due west from the southern extreme of Rock Island. In 1836 it had the largest population of any county in Wisconsin Territory, and consequently it had the largest number of representatives in the First Legislative Assembly of that Territory.

The Treaties referred to in this letter are in the U. S. Statutes at Large, Vol. VII, 1848, pp. 506-9, 516-523. James W. Grimes, afterwards Governor of Iowa, 1854-8,

and U. S. Senator, 1859-69, was Secretary of the treaties with the Sac and Fox Indians. (Life of J. W. Grimes, p. 11.)

GREEN BAY, Sept. 4, 1836.

Col. Geo. W. Jones, Iowa Co., W. T.:

I yesterday signed the treaty with the Menomonee Indians, after a ten days' close negotiation with them backed by their traders, whose claims against the Indians amounted to near 200,000 dollars. These men have the entire control of the Indians, except the influence the missionary preachers have acquired over them; there were generally eight of these pious disposed gentlemen present during the treaty. I have purchased all the most valuable part of the country owned by the Menomonees lying on the Fox, Wolf and Menomonee Rivers, including eight townships, embracing a valuable region of pine country on the Wisconsin river lying above Whitney's Mill. The whole supposed to contain upwards of four millions of acres of land. The Indians are to receive \$470,000, payable by equal instalments in twenty years. I have agreed to pay one half of the debts due from the Indians to their traders, amounting to near \$100,000, and \$80,000 to their half-breeds. This amount, with \$3,000 payable in provisions annually for the term of twenty years, adding 2,000 pounds of tobacco, 30 barrels of salt, two sets of blacksmith's tools, and \$500 for farming utensils, will include the whole amount, making upwards of \$700,000. The Indians asked me near \$2,000,000. I had to take a decided stand or I should have been detained here, because the traders became alarmed for fear I would break up the treaty, which would have defeated their views and blasted their prospects—at least for the present. I am satisfied I shall be sustained by public opinion in the course I have pursued in making this treaty, and that it will be approved by the President and ratified by the Senate. I have steadily kept in view the spirit of my instructions, and what I deemed to be the interest of the Government, as well to promote the best interests of the people of the Territory, as to quiet the Indians and promote their welfare. The growth of our Territory is so intimately connected with our Indian relations, that I view it as a matter of the first importance to do the Indians ample justice in all our treaty stipulations. A little Indian difficulty would greatly impede the settlement of the country, and experience has given us some useful lessons on this subject as to the expense of Indian wars.

From my great desire to meet the Sac and Fox Indians I have directed Gen. Street to convene them at Rock Island by the 22nd inst., to purchase their reservation, and such part of their country as they may be disposed to sell. I know the great anxiety of the people in Des Moines County on this subject, and as Gen. Street followed me with the message of the Sac and Fox Indians, expressing their entire confidence in me and their willingness to sell me a part of their country, I determined to meet them at that time, and I shall be obliged to return to Fort Winnebago early in October, before the meeting of the legislature. My situation is one of

great responsibility. I trust, however, I will succeed in meeting the views of the Government and promoting the best interests of the people of the Territory. My course will be a steady and determined one in all my official acts. You stand well here. The people are with you, or I am deceived greatly.

XII.

Des Moines county had ten representatives in the Legislative Assembly; Iowa county (which was east of the Mississippi, and covered what was then called the "Mining Country,") had nine. For notice of Belmont and a picture of the first capitol of Wisconsin Territory, see ANNALS, VOL. II, p. 317, 3d Series.

BELMONT, Wisconsin Territory, Nov. 16, 1836.

Col. Geo. W. Jones, Delegate to Congress, Washington:

Notwithstanding I have given the Legislative Assembly the power of locating the permanent Territorial seat of the Government, and my object in doing so was to quiet as far as in my power all parties and their jarring interests, hoping all would unite in making laws for the good of the people of the Territory—in that I have been mistaken. Doty is exerting himself to get the permanent seat of the Government on his land at the Four Lakes, and the temporary seat located at Burlington for two or three years, making a bargain to unite the Des Moines and Iowa (counties) members that give nineteen votes. I never will consent to do an act of injustice to the people, should their representatives consent to do so. The opposition think that they will carry their points, or force me to veto a popular measure that will react on me. I will always be found at my post firm as a rock, and true to the interests of Wisconsin. I wish Congress had fixed the Territorial seat of Government. I fear it is to be a bone of contention for years. Speculation and a thirst for gain appear to run into everything, patriotism and duty apparently lost sight of. I am to have all the rascally speculators arrayed against me.

I feel great solicitude as to the ratification of my treaties with the Menomonees and Sacs and Foxes, and hope you will attend and keep an eye on passing events. Give my best regards to my brother, Dr. Linn, to Col. Benton, and remember me to my old friend Ashley and lady.

XIII.

BELMONT, November 27, 1836.

Col. George W. Jones, House of Representatives, Washington City:

The Council has passed the bill selecting Judge Doty's town between the third and fourth Four Lakes for the permanent seat of the Territorial Government, and to hold temporary sessions at Burlington until 1839, unless the public buildings are prepared at the Four Lakes before that time. Doty has been able to produce a complete split between the Dubuque and Iowa (county) members. . . . If Des Moines should vote for Cassville,

which I think would be a bad arrangement, I should have no objection to Mineral Point or Dubuque. . . . I am yet to act on the subject; if I veto the bill in its present shape, I am afraid the remainder of the session will be spent in unprofitable discussion, when the good of the people requires the undivided effort of the Legislative Assembly. To save time and avoid delay, under my present impressions I will sanction the bill as reported. I will have acted in accordance with my pledge to the Legislature in my Message. All agree that I have convened the Legislative Assembly in the center of population.

The extinguishment of the Indian title to the Sioux and Chippewa country east of the Mississippi is a subject of much interest to your constituents. The American Fur Company, who already exercise too much influence over the Indians, have applied for a mill privilege that, if granted, would enable them to make a complete monopoly of the pine region on the Chippewa river. In a communication I addressed the Commissioner of Indian Affairs I expressed myself as decidedly opposed to all monopolies of that kind.

The Sioux Indians have expressed a wish to sell their country east of the Mississippi. I have that information officially from their agent, Major Taliafero. The Chippewa country on the Chippewa river is valuable alone for its pine; it is barren of game. An appropriation should be made this session of Congress for the purchase of both the Sioux and Chippewa countries, and treaties should be holden with both these nations as early as the Indians with convenience could be convened in the spring. . . . Nothing will save the Winnebagoes from destruction but their removal west of the Mississippi. Some 200 of them have died this season about the Portage of the Wisconsin and Fox rivers. The country owned by the Winnebagoes west of the Mississippi is 40 miles in width, extending from the Mississippi to the eastern branch of the Red Cedar, and about 60 miles in length. If the Government will give the country which they purchased from the Saes, Foxes, and Sioux, called the "Neutral Ground," to the Winnebagoes, it would make the country 130 miles long, extending back to the Des Moines river, and 40 in width, which would be a country sufficiently extensive for all the Winnebagoes, when concentrated, and is perhaps one of the best countries of game west of the Mississippi.

XIV.

Major Jeremiah Smith, Jr., of Burlington, had been a member of the last Legislative Council of Michigan Territory, and was now a member of the Council of Wisconsin Territory; David R. Chance was a member of the House of Representatives; both were from Des Moines county. Col. John Dement was aid to Governor Reynolds in the Black Hawk war; married Mary, daughter of Henry Dodge, at

Fort Leavenworth, 1835; his son, Henry Dodge Dement, was recently Secretary of State in Illinois.

The "Protest" referred to in this letter was signed by six members of the Council, three from the east side of the Mississippi, Henry S. Baird, of Green Bay, Gilbert Knapp, of Milwaukee, J. R. Vineyard, of Iowa county, and three from the west side, Thomas McCraney, John Foley, Thomas McKnight (p. 220, *supra*), all of Dubuque. Among other grounds of "Protest" are the following:

"2d. Because the place called 'Madison' is situated in the interior of the Territory at a distance of many miles from any settlement or inhabitants, and entirely destitute of all materials necessary and proper for erecting public buildings, and said buildings cannot be constructed at that place without a great waste of public money.

"5th. Because the Act requires the Legislative Assembly to convene at Burlington, a place situated near the extreme southern boundary of the Territory, thereby compelling the representatives and all persons wishing to attend the session of said body to travel from all other parts of the Territory to the extreme point thereof.

"9th. 'Madison' has been laid out and named since the convening of the Legislature, and has no existence *except upon paper*."

BELMONT, Dec. 18, 1836.

Col. George W. Jones, House of Representatives, Washington City, D. C.:

Enclosed you will receive recommendations for Major Smith and Mr. Chance for two of the Land Offices west of the Mississippi, should they be created. I have also signed a recommendation for our old friend McKnight for the office of Receiver; I think him a good man, and although we differ in politics, I could not refuse to do him what I conceived to be an act of justice when called on. I know the delicate relation you stand in to all these gentlemen; they are your constituents and friends.

I have no doubt there will be many applications for Land Offices west of the Mississippi, and perhaps Augustus Dodge may be one of them, and probably Col. Dement, of Vandalia. You will be governed, I know, by a high sense of duty and do what you think is right. Land Offices are now considered fortunes and are sought after with great avidity.

You will receive enclosed the protest of a minority of the members of the Council on the subject of the law fixing the seat of Government. I have nothing to say on the subject as I have officially given my assent to

the bill. Had I have placed my veto on the bill I would have acted directly in collision with a majority of the representatives of the people, and after I had agreed in my message to give my assent to the location at such point as might be agreed on by the representatives of the people, I felt bound to do so. I had publicly said, I would convene them as near the center of the population of the Territory as accommodations could be procured for them. I did so, and I have redeemed my pledges. I have acted upon that high sense of duty that I hope will always govern my official conduct. The veto of a Territorial Governor should, I think, be exercised with great caution.

XV.

BELMONT, January 2, 1837.

The Hon. George W. Jones, House of Representatives, Washington City:

I enclose a copy of a letter I have written to the Commissioner of Indian Affairs in which I have fully presented my views as to the propriety of having three companies of dragoons posted above Prairie du Chien, where they could be furnished by steamboats with the necessary supplies. From the dread the Winnebagoes have of the Sac and Fox Indians it will be exceedingly difficult to induce them to sell their country east of the Mississippi and remove west, unless there are troops stationed, and mounted troops, that can protect them from the attacks of the Sacs and Foxes.

The removal of the three companies of Dragoons from the Lower Rapids to Fort Leavenworth has left this frontier entirely without mounted troops. Our frontier is the most extensive in the U. S., and the most exposed to the attacks of numerous nations of Indians, and it is necessary for the security of our inhabitants that a part of the mounted force raised for the more perfect defence of the frontiers should be posted on the Upper Mississippi. It will be several years before the completion of the Military road and the establishment of a cordon of posts, and it is well known that infantry are only serviceable in the protection of forts, that they are unable to overtake the Indians, and that the Indians have no dread of being overtaken by them. We have a right to expect that this frontier shall have a full proportion of the two regiments of dragoons in proportion to the extent of the frontier of this Territory for the protection of our people.

I hope you will be able to impress on the Secretary of War the importance of our Indian relations. The Indians are now killing each other. The difficulty our Government has had in subduing the Seminole Indians in Florida shows the necessity of making the necessary preparations to guard against contingencies. It is by vigilance alone that the Indians can be controlled on this frontier. I should not discharge my duty to the people of this country unless I presented my views fully to the constituted authorities at Washington, and as you are the official organ of the people of this Territory I think the better course will be to urge the claims of this Frontier People through you.

XVI.

BELMONT, Feb. 1, 1837.

The Hon. George W. Jones, Washington City:

When I last saw you I expected that, if everything went smoothly, I would go to Washington this winter. The uncertain state of our Indian relations has been such that I have felt unwilling to be absent, not that I apprehended danger from the Indians attacking the white settlements, but their frequent attacks on each other; and knowing the incompetency of the Secretary of the Territory in my absence to do anything in relation to Indian matters, as well as to other matters, I determined to defer my visit east.

In assenting to the law establishing the seat of Government I doubt much I would not have crippled myself in my administration during the term for which I have been appointed (three years), had I pursued any other course and enabled my political enemies to have injured not only me, but my friends also. Augustus will be able to state to you and my friends at Washington the reasons that governed my conduct.

I am extremely anxious to have the militia organized and prepared for the field. I hope you will urge upon the government the necessity of furnishing a depot of arms for this Territory. Our frontier is liable to the attacks of numerous Indians. A little seasonable precaution might prevent a state of things that would operate greatly against the settlement of our Territory, and save the lives of some of our most valuable settlers in our exposed settlements, and save the U. S. a large amount. Our recent Indian wars will surely be a lesson of admonition to the Government. From present appearances with the Winnebagoes we may anticipate trouble with them. Wisconsin has a right from the extent of her frontier that a fair proportion of the dragoons should be posted so as to range the country between the whites, and keep a vigilant eye on the movements of the Indians. In urging the necessity of ordering a mounted force for the protection of our settlements I have done what I conceive a duty I owe our people. I have the most entire confidence in the bravery of our citizens. We only want arms and a proper organization to protect ourselves, and much as I wish for peace on this frontier I know a little war with the Indians would not hurt either myself or friends in the estimation of the people of this country.

XVII.

The treaty referred to in this letter is in U. S. Statutes at Large, VII, 536-8. Verplanck Van Antwerp was Secretary. Capt. Martin Scott, 5th Infantry, and J. N. Nicollet, the eminent geological explorer, were among the witnesses. General William R. Smith did not arrive. He was the author of "History of Wisconsin," Vols. I and III, 1854. "The treaty

ground" was opposite Fort Snelling. Iowa Hist. Record, VIII, 313, 314.

ST. PETERS, July 13, 1837.

The Hon. George W. Jones, Delegate to Congress:

There have already arrived at the treaty ground about five hundred and fifty of the Chippewa Indians, and I am in great hopes I shall succeed in purchasing the Pine Region. I shall have an arduous duty to perform as General Smith, associated with me, has not arrived and I shall have to treat with the Indians alone. I am still, however, in hopes Gen. Smith will arrive in time; the traders will all be here, no doubt. Should it suit your convenience I should be pleased to see you here as you will see the Secretary of War and the President on your arrival at Washington, and can tell them the state of affairs here.

I have had some doubt as to the propriety of my acting alone as Commissioner. After notifying the Indians and making all necessary preparations to convene them I will have to act, or disappoint the expectations of the people and the Government.

XVIII.

George Davenport, born in Lincolnshire, England, came to Rock Island with U. S. troops, 1816; afterwards an Indian trader, employe and later a member of the American Fur Company; called by the Indians "Saganosh" (Englishman); a friend of Black Hawk, whom he accompanied with Keokuk and other chiefs to Washington, 1837; was robbed and murdered in his house on Rock Island, July 4, 1845. (ANNALS. First Series. I, 83-5, 99; Third Series. I, 584, II, 96, 222, 243-4). John D. Ashley was an early settler and owner of copper mines at Mineral Point.

MINERAL POINT, Sept. 25, 1837.

Hon. Geo. W. Jones, Washington:

I deem it advisable and proper to communicate to you some facts in relation to Davenport, the Indian trader, whom you will no doubt see at Washington, and if you think proper I should be pleased the President should be made acquainted with his conduct. Davenport stated to Ashley, his brother Englishman, last winter that there should be no treaty made with the Chippewa Indians, that it was treating the Indians unjustly to extinguish so fast their title to their country, that he had it in his power to prevent the treaty, and he would do so.

Last winter I addressed the Commissioner of Indian Affairs on the subject of having two hundred dragoons posted on the frontiers of Wisconsin, to range the country west of the Mississippi the whole extent of our frontier, and to occasionally cross the Mississippi to the east side and range

the country bordering on the Wisconsin river to the portage of the Wisconsin and Fox rivers. This movement of troops I deemed of the utmost importance to prevent the Indians from making inroads on our white settlements, and at the same time prevent the frequent excursions of the war parties of the Sac, Fox, and Sioux Indians from killing each other. This letter was published in the *Globe*. It was written immediately after I had received official information from General Street that the Sioux had killed fifteen Fox Indians on the Red Cedar, and that the Fox Indians had retreated back on our settlements, believing that would be a favorable moment for me to impress forcibly on the Government the necessity of giving us a mounted force for the protection and security of our frontier settlements, as well to carry into effect the pacific policy of the Government in keeping peace between the different nations of Indians on our borders and to prevent the further effusion of Indian blood; and I have no hesitation in saying that the late killing between the Sioux and Fox Indians would not have happened had my advice been followed.

During the time I was at St. Peters treating with the Chippewa Indians, the battle was fought between the Sioux and Foxes, when 13 Sioux were killed, and 11 of the Foxes, and about thirty wounded.

Davenport stated on his return last spring that his advice had been taken on the subject of the mounted troops, that he had advised the President, Mr. Van Buren, to send deputations of the Sioux, Sac and Fox Indians to Washington, that a lasting peace could be better effected at that place than by any mounted force that could be sent to the frontiers; and . . . stated that he had defeated my plans. Passing events prove the correctness of my views, and should these Indians make peace in the presence of the President they will next season kill each other, unless there is a mounted force actively in motion to watch their movements.

I will urge in my message to the Legislative Assembly the propriety of memorializing Congress on the subject of a mounted force, which will strengthen you at Washington. It is with difficulty that I can now restrain the Winnebagoes from killing stock and plundering the inhabitants on our borders. There were but 11 men, regulars, reported for duty at Fort Crawford when I met the Winnebagoes there, and not more than 20 at Fort Winnebago, and not to exceed 50 at Fort Snelling when I held the treaty with the Chippewa Indians, and at least 1,000 Chippewa and Sioux Indians were present, and these Indians in a state of war with each other when out of reach of the troops of the garrison. The weak and defenceless state of this frontier was a strong inducement for me not to visit Washington with the deputation of Indians from my superintendency. Should we get into trouble with the Winnebagoes it will be from their killing stock and stealing horses. I am in no dread for this frontier. I know what I can and will do. If the Indians shed a drop of white blood I will settle the account with them in short order. I consider it a duty I owe the people of the Territory to apprise the Government through you of the present defenseless state of this frontier, a circumstance well known to the Indians themselves.

XIX.

The following letter was written during the second session, which was held at Burlington, Des Moines county, of the First Legislative Assembly of Wisconsin Territory. Of names mentioned, John P. Arndt, of Green Bay, Ebenezer Brigham, of Mineral Point, Isaac Leffler, of Burlington, Wm. B. Sheldon of Milwaukee, and Charles Durkee, of Pike river (now Kenosha), were members of the Legislature; Isaac Leffler had been a member of Congress from the Wheeling District, Virginia, 1827-9, was member of Fourth Legislative Assembly of Iowa Territory, the first that met at Iowa City, and marshal of the Territory, 1843-5. Thomas P. Burnett, of Prairie du Chien, had claimed a seat at the first session, but was rejected; W. W. Chapman was the first delegate to Congress elected from the Territory of Iowa; Stephen Hempstead became the second Governor of the State of Iowa; Charles Durkee was one of the founders of the "Liberty Party," member of Congress ten years from Wisconsin, in the House, 1849-53, in the Senate, 1855-61, Governor of Utah Territory, 1867-9.

BURLINGTON, Dec. 3, 1837.

Hon. George W. Jones, Washington:

We are progressing slowly in legislating. In my Message I endeavored to call the attention of the members to such subjects as appeared to require their immediate action. The great rage for dividing and making new counties appears to occupy them to the exclusion of other business. I have placed the responsibility, I think, where it should be, and they will have to settle the accounts with their constituents.

Doty has been here, and it is said intends to ask for additional appropriations for the completion of the public buildings at Madison. The amount already appropriated by Congress was no doubt sufficient, if it had been properly expended, to have erected suitable buildings for the Territorial Legislature. During the time we remain a Territory the seat of Government for the State of Wisconsin will be in the center of population, and, from the great extent of country purchased recently east of the Mississippi, it will be located at least one hundred miles north of the Wisconsin river. It can never remain within thirty-six miles of the northern boundary line of the State of Illinois.

Doty having interested several of the members of the Legislative Assembly in Madison property, as well as yourself and Augustus Dodge, he thinks it is a common interest; and he believes that interest is the great

lever that governs and regulates mankind, that they have all their prices, and if they will not receive a bribe directly they can be interested in speculations which will oblige them to cooperate with him in such manner as will enable him to react on them as may suit his views. The twenty thousand dollars he received in specie is deposited by him for banking purposes, as he stated to Major Smith of this place: the workmen at Madison have been paid in Wisconsin paper of the Green Bay Bank. Our mutual friend the Judge (for it is by that name he speaks of you and myself) wants specie to base his banks on, and by the force of his paper-money-influence he thinks he can regulate the political destinies of Wisconsin, at least so far as to provide for himself a seat in the Senate of the U. S. He has Judge Arndt, of the Bay, Brigham, and James Morrison, his directors for his bank at Mineral Point—fit instruments to obey the mandate of the ex-Judge. He has a small majority in both branches of the Legislative Assembly: he has made several of them hostile to me: they would attack me politically, but they are afraid of using themselves up with the people, as Burnett, Chapman, and Hempstead have done.

The recent elections in New York give a lesson on the subject of bank influence, and prove to me that banks and paper currency are intimately connected with the politics of this country. We live in an age of speculation, extravagance and folly. I almost fear for the liberties of our country and the permanence of our institutions when banks have it in their power to bankrupt the Government, and stock-jobbers and bankers are able to control the elections in such a State as New York in opposition to the views of our able and patriotic President, as expressed in his late message to Congress. Party spirit is now to rage. Banks and bank influence under the control of ambitious politicians will aim at controlling elections by the force of a paper currency predicated upon fictitious capital. During our prosperous time all was quiet. The late administration enjoyed in a great degree the confidence and support of the people of New York. The moment the pressure in the money market commenced, the administration was charged with having caused the pressure, when it was apparent to all who would examine the subject for themselves that it was over-trading, over-banking, and extravagance of the mercantile and trading classes who made common cause against the administration, which should not be made responsible for the extravagance of merchants, traders and stock-jobbers. My hopes are based on the intelligence of the people that they will eventually go for the constitutional currency, or if we must be cursed with banks that they will be placed under such safeguards as will prevent the swindling and robbery now practiced by them.

On the subject of the boundary line between this Territory and the State of Missouri I hope you will consult Col. Benton and Doctor Linn. They are well acquainted with the subject. Commissioners should be appointed on the part of the Territory as well as one on the part of the U. S. From a letter I have recently received from a sub-Indian agent at the Council Bluffs, which I have enclosed to the Commissioner of Indian Affairs, it appears that the Pottawattamie Indians complain that the Com-

missioners on the part of the State of Missouri are intruding on them. That is a subject of the first importance to the U. S. They have placed these Indians in the possession of land, and any interference on the part of State authorities is calculated to produce difficulties between the frontier inhabitants and the Pottawattamie Indians. As these Indians are located within our Territorial limits I consider it my duty to advise the Government on the subject.

Horner will no doubt exert himself to change the office of Register at Green Bay for one west of the Mississippi, as those offices are considered valuable, and his office at the Bay may not be worth much. I hope you and Doctor Linn will prevent his making that exchange; he is a hard case, and deserves nothing in justice from his country. There is much speculation here on the subject of your opponent at the next election. Hamilton, I think, will be a candidate, and it was suggested by some that Lefler would also. The more the better for you. I have no doubt you can beat them either or both. Hamilton is ambitious and, I think, Burnett will have to give way to him. From some remarks made by Gen. Sheldon here the other day I was induced to believe he had been disappointed in some way. I understood he said Doty and yourself would unite your forces in the State Government for the office of senators to Congress. Your friends know you, and there is nothing that can be said that can change their opinion of you.

Mr. Durkee, the bearer of this letter, visits Washington for the purpose of procuring an appropriation to commence a harbor at Pike River. You will find him a clever man, and I would be much pleased to see him succeed. I know the difficulty of procuring appropriation for that object. He is a good Democrat, and will be grateful for any services you may be able to render him.

I would be pleased to hear from you occasionally. I know the great necessity of your writing to your numerous correspondents, and that you ought not to be taxed heavily by your friends.

XX.

Peter Hill Engle, of Dubuque, was a member of the First Legislative Assembly of Wisconsin Territory, and Speaker of the House at the first session at Belmont. The Graves and Cilly duel, in which Geo. W. Jones was second to Cilly, occurred five days after the date of this letter. At the election for delegate to Congress from Wisconsin Territory, September 10, 1838, Geo. W. Jones was a candidate, but was defeated by James D. Doty. On the same day W. W. Chapman was elected delegate from Iowa Territory.

MINERAL POINT, Feb. 19, 1838.

Hon. Geo. W. Jones, Washington City:

Since my return from Burlington such has been the pressure of my public duties after an absence of three months from this place, accumulating in the Indian as well as the Executive department, that I have been almost constantly engaged.

Capt. Knapp and Col. Engle will explain to you the propriety and necessity of my exercising the veto on the measures of speculators and peculators. I have always thought the veto power should be only exercised in extraordinary cases where it was apparent injustice had been done the community, or from hasty unadvised legislation. From all I can learn from different parts of the Territory my course has been approved by the great mass of the people.

From the tenor of your letter on Gen. Sheldon's remarks in relation to the election of Senators when we become a State, you appear to think it hard that I had not given the lie to his statement. I was not present; had I been, I should have promptly repelled any statement of that kind as unworthy of your high character for honor and integrity. You are the last man on earth that I could believe would be associated with Doty in political views, and so stated to all with whom I conversed on that subject. Doty, it is well known, is hostile to both you and myself, and would go any length to destroy us both. I never believed you capable of practising deception of any kind on me, and indeed the election of U. S. Senators from Wisconsin is so remote that I can assure you it has given me no uneasiness whatever, and although I believe I have strong claims on the people of this country, having suffered everything but death for them, and know that many of my friends would be pleased to see me in the Senate of the U. S., I have yet to get my own consent; and it is probable I never may be a candidate for that high and responsible station. I have had offices enough to satisfy one man, and from my present feelings I think I will never be a candidate for any public office after I retire from my present station.

On the subject of the disputed territory between the State of Missouri and this Territory I hope Commissioners will be appointed to settle down on the true boundary line as early in the spring as they can meet. I trust a due regard will be paid to the rights of the people of this Territory as well as the State of Missouri.

Augustus is now in Missouri, and will return here with the opening of the navigation of the Mississippi river, and I will leave for Washington shortly after his arrival. On the subject of your deed for one-tenth part of the Helena property for which you paid Augustus one thousand dollars, it shall be attended to before I leave. I will bring the plat of Helena with me. It is certainly one of the most eligible situations for a town on the Wisconsin. The purchase recently made of the Winnebagoes will greatly enhance the value of property on that river.

Your friends here will not let you retire from public life. There is no man that can be a candidate that you cannot double distance. A large

majority of the voters in the Lake counties that are settled on the public lands are decidedly in your favor. You are no doubt the choice of a very large majority of the people of Wisconsin for the office you now fill.

XXI.

An Act of Congress constituting that part of Wisconsin Territory which was west of the Mississippi river a separate territorial government on the 4th of July by the name of Iowa was approved June 12, 1838.

BURLINGTON, WISCONSIN TERRITORY, June 13, 1838.

Hon. Geo. W. Jones, Washington City:

Your favor of the 27th ult. I received last evening. I addressed Colonel Benton a letter on the 10th inst. on the subject of your appointment as Governor of the new Territory. Knowing the harmony of feeling that has always existed between Col. Benton and Doctor Linn on political subjects I took it for granted you would have the undivided support of both the Missouri Senators. My letter to the President* was handed to you open. to be sealed by Doctor Linn who was to hand it to the President. I expected the Doctor would inform Col. Benton my views fully in relation to you.

The Legislative Assembly met here on the 11th inst., and had I not been present they would have been awkwardly situated, as the Secretary of the Territory has not yet arrived. It would be difficult for me to excuse myself for such a dereliction of duty. The Secretary has us all in waiting on him, as the census of the inhabitants of the several counties was by a law passed at the last session to be made to the Secretary of the Territory. From the returns made to this place, and the best estimate I am able to make, there will be about 42,000 souls in the Territory, 23,000 west, and about 19,000 east of the Mississippi. I have enclosed you my short mes-

*The letter was as follows:

WASHINGTON CITY, May 25th, 1838.

Sir:

In the event of the division of the Territory of Wisconsin as contemplated at the present session of Congress, I would respectfully recommend General George Wallace Jones as a suitable and proper person to receive the appointment of Governor of the new Territory. I have known Genl. Jones from his childhood; I have always considered him a high-minded, brave and honorable gentleman. He removed to the territory of Wisconsin, then Michigan, in 1828; he has filled several important Territorial offices with great credit to himself. Before his election as Delegate to Congress, and in that capacity, by his unremitting effort and industry to serve the people of the Territory he has gained their confidence in a great degree. From Genl. Jones' well known democratic principles, and his perfect knowledge of the wants and wishes of the people of the contemplated new Territory and their entire confidence in his talents, industry and energy, I have no hesitation in saying his appointment as Governor will give general satisfaction to the people, and that he will discharge the duty of that station with honor to himself and advantage to the country.

I am, Sir, with the greatest regard,
your obedient servant,

To his Excellency,
MARTIN VAN BUREN,
President of the United States.

HENRY DODGE

sage. Everything necessary has been said, I conceive, at this time as all the leading measures recommended by me at the last session are now under the action of Congress, and the result will be known before the next annual session. There is great political calculation making here among the great men who are waiting impatiently to hear the result of the division of the Territory.

In the event of the division, and your leaving us, we are at a loss to know whom to select to oppose Burnett. It will be difficult to unite on a Lake man that possesses the confidence of the people in the eastern part of the Territory. We are all waiting the result of political events at Washington, and the time is so short before the election that it will be exceedingly difficult to concentrate public opinion on any one individual. The general belief is that you will be a candidate, and in that event we expect the defeat of Burnett and Chapman by a large majority. Chapman has been making great exertions. In the event of your appointment as Governor I do not know whom the people will take as an opposition candidate west of the river. It would be a great misfortune if —— Chapman should succeed in being elected to Congress from Iowa.

Your package to your wife I handed to Mr. Dixon, of Dubuque, who promised me he would see Mrs. Jones in person the day after his arrival. I have not heard from home since my arrival here. Give my kindest regards to the Doctor and his wife and my dear little niece Jane.

I am, with sincere regard,

Your friend and obt. servt.,

HENRY DODGE.

MESSAGE OF GOVERNOR HENRY DODGE

To the Third Session of the First Legislature of Wisconsin Territory, held at Burlington, Des Moines County, June 11th-25th, 1838.

Fellow Citizens of the Council and House of Representatives: You are convened for the purpose of making the apportionment of representation for the House of Representatives of this territory, in conformity to the organic law of Congress creating the territorial government of Wisconsin, and in accordance with a law passed at the last session of the Legislative Assembly for taking the census or enumeration of the inhabitants by the several sheriffs of the different counties in this Territory.

The elective franchise of the people is the sacred palladium of our rights, the shield and helmet of our liberties, and the foundation upon which our republican institutions must exist; all should equally participate in the advantage of representation according to numbers.

As the Legislative Assembly has been convened for a special purpose, it would not be proper for me to call your attention to any subjects not connected with the object for which you have met: except in cases where the public good might require your immediate action.

You have memorialized Congress, at your late session, on the most important subjects connected with the growth and prosperity of the Territory; for the extension of the right of pre-emption to our meritorious and enterprising citizens, occupants of the public lands; the division of the Territory; asking appropriations of Congress for the construction of harbors on our Lake coast, the removal of the obstructions in the rapids of the Upper Mississippi; the adjustment of our Southern boundary line with the State of Missouri, and other important measures which are now pending before Congress, the result of which will be known before your annual session.

As Congress will probably not adjourn before the fifteenth of next month I deem it my duty earnestly to recommend to the Legislative Assembly the justice and propriety of memorializing that body, at an early day of your session, asking the ratification, by the United States Senate, of the treaties made with the Winnebagoes, Sioux and Chippewa Indians for the extinguishment of their title to country within the limits of this Territory. Until recently, no doubts were entertained of the ratification of the treaties in question.

From the proximity of the Winnebago Indians, to our border settlements, and their frequent depredations on the stock and other property of the inhabitants of the Territory, it has been with great difficulty that the citizens, who have been injured by them, could be restrained from killing them. It is a fact well known that the country owned by the Winnebago Indians, north of the Wisconsin River, would be of great value to the United States as well as to the citizens of Wisconsin, and is not suited to the state and condition of the Indians who claim it. From the intemperate and reckless character of the Winnebago Indians, I have no hesitation in saying that unless they are removed from the country north of the Wisconsin River difficulties will ensue between them and the whites that will end in war. The Winnebago Indians own a country west of the Mississippi that affords game in abundance, and where they could remain in peace for years. A just regard for the rights of the people of Wisconsin requires that the Winnebagoes should be removed; the safety of the lives and property of our citizens demand it. Should trouble with our Indian neighbors commence, it is difficult to tell where they will stop. Our recent Indian wars have been at the price of much blood and treasure, and, have we not a right to expect that the representatives of a great and intelligent nation will prevent a state of things that would be ruinous to the growth and prosperity of this Territory?

The purchase of country from the Chippewa Indians, east of the Mississippi, was made for the advantage of its extensive pine forests, bordering on the Chippewa and St. Croix rivers, and which is considered of the first importance to the people residing on the borders of the Mississippi, by affording them cheap and abundant supplies of pine lumber. Mills have already been erected in the Chippewa country, and several hundred individuals are now employed in preparing rafts of pine lumber; and, should the treaty made with the Chippewas not be ratified, and the whites be immediately removed from the occupation of their country, we may expect that the Chippewa Indians will attack those whom they will consider as intruders on their rights.

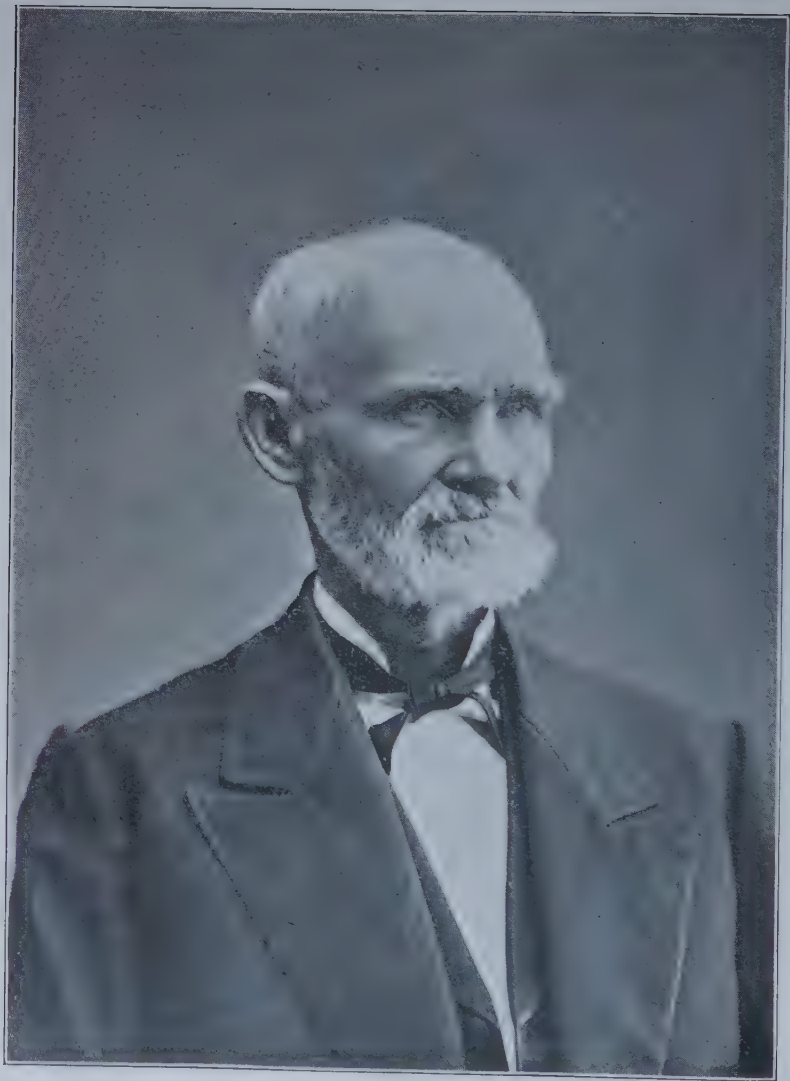
Should the bill, now depending before the Congress of the United States, for the establishment of two land offices west of the Mississippi River, become a law, and should the public lands be offered at sale under the proclamation of the President of the United States during the present year, many of our citizens who might be entitled to purchase the public lands (should the right of pre-emption be extended to them,) would not be prepared to pay for their homes. I respectfully and earnestly recommend to the Legislative Assembly the justice and propriety of memorializing the President of the United States on this subject, asking him to defer the sale of the public lands within this Territory, for one year. The present state of the currency and the difficulty of procuring land-office money would justify the indulgence proposed for the benefit of this meritorious class of our citizens, who have a right to expect that justice and the patronage of the Government will be extended to them.

I recommend to you, gentlemen, despatch in the discharge of your Legislative duties; and you may expect my co-operation in all measures which have for their object the public good.

Burlington, W. T., June 11th, 1838.

HENRY DODGE.

DEATH OF JOHN B. NEWHALL.—From *The Saint Louis Union* of the 12th instant, we learn that John B. Newhall, a much esteemed citizen of our State, died of cholera a few days since at or near Independence, Mo. Mr. Newhall was widely known as the author of several maps of Iowa—of "Sketches of Iowa," "Notes on Iowa," etc. He was an enthusiastic admirer of nature and has given many graphic descriptions of the scenery of different portions of the State. He was the writer, we are informed of all the letters which have, at various times appeared in *The Burlington Hawkeye* bearing the signature of "Chemokomon." Mr. Newhall has done as much if not more than any other person to bring our young State into notice.—*The Muscatine Journal*, May 19, 1849.



*Official
H. T. Shaw
Cond'g Pres*

COLONEL WILLIAM T. SHAW, OF ANAMOSA, IOWA.

THE BATTLE OF PLEASANT HILL.

BY COL. WILLIAM T. SHAW.

After the disastrous defeat of Gen. N. P. Banks at Sabine Cross Roads, April 8th, 1864, he fell back on Pleasant Hill during the night of the 8th and morning of the 9th, where Gen. A. J. Smith* had just arrived with detachments of the Sixteenth and Seventeenth army corps.

Early in the morning of the 9th, Gen. Banks sent a request to Gen. Smith to send him a brigade "*upon which he could rely.*" My brigade (Second brigade, Third division, Sixteenth army corps) was sent. I reported to Gen. W. H. Emory, commanding the First division Nineteenth army corps.

Gen. Banks had already sent his trains and engineer corps and some other forces to the rear in full retreat to Grand Ecure, and wanted a brigade "upon which he could rely" to cover his retreat.

The first division of the Nineteenth was formed in the edge of a heavy growth of timber with a large field in front, somewhat cut up with gulleys and dotted over with small pines. On the opposite side of the field was large timber, but rather scattering. Two of Emory's brigades (Col. W. L. McMillan's and Col. Lewis Benedict's) were formed on the edge of the timber on the left of the Mansfield road, and one (Brig. Gen. William Dwight's) on the right. Dwight's line was formed down a hollow which made a considerable angle to the rear and entered the low swampy ground to his right.

On the right of the Mansfield road, about 50 yards in front of Dwight, was a slight eminence sloping away to the right which not only completely commanded the village of Pleasant Hill, but also the field in front of Gen. Emory, across which the enemy would have to come to attack him.

*See pp. 76-77 of this volume for a brief notice of the distinguished services of Gen. A. J. Smith.

Gen. Richard Taylor (rebel commander) says of this hill: "The hill before alluded to, on which was posted the enemy's battery, was the key to his position in this quarter." On the left slope of this hill and near the road was posted the 25th N. Y. Battery.

On reporting to Gen. Emory I found him on foot a short distance in rear of his line, with neither staff officers nor orderlies. He ordered me to relieve Col. McMillan's brigade on the left of the road. McMillan, anticipating that I had come to relieve him, was already moving by his right flank down the Mansfield road to the rear. I immediately occupied the ground vacated. I had scarcely got into position when Dwight vacated his position and moved down to the right of the Mansfield road. My own brigade was formed in the following order: the 24th Missouri, Maj. Robert W. Fyan, on the right; 14th Iowa, Lieut. Col. Joseph E. Newbold, right center; 27th Iowa, Col. James I. Gilbert, left center; and 32d Iowa, Col. John Scott, on the left. Some time after Dwight had abandoned his position on my right rear, Col. Benedict on my left moved to my rear (see Col. Fessenden's report,* page 430), thus leaving my brigade entirely alone on the main road by which the enemy would approach, from one-fourth to one-half mile in advance of all other troops.

Although I naturally felt gratified that my command had been selected as the brigade "*that could be relied upon*," and although I knew that this meant that I was to bear the brunt of the fight, still I hardly relished the idea of doing all the fighting with both flanks "in air." However, I determined to make the best of the situation.

I saw that it was absolutely necessary that I should occupy the hill before alluded to. I therefore moved my brigade to the right, so as to bring the 24th Missouri and three companies of the 14th Iowa to the right of the road, advancing the 24th Missouri so as to occupy the ridge in front. This, however, left a space of about one regiment between

Where reference is made in this article to official reports they may be found in Series I, Vol. XXXIV, Part I, "Official Records of the Union and Confederate Armies."

my right and the swamp. As I had no doubt that I could get a regiment from either Dwight's or McMillan's command, and not deeming it advisable to move farther to the right, I dispatched a staff officer to Gen. Emory to apprise him of the situation, but he could not be found. I then went in person to Gen. Dwight and explained the situation to him. He promised to send a regiment, which he did not do, and which in his report he denies having promised to do. It is simply a question of veracity between us. I here give his statement: "About this time Col. Shaw, commanding a brigade of Gen. A. J. Smith's troops, came to me saying that he was in front of my position and both his right and left were being severely pressed, and desiring that I should send out a regiment to his support. As I had no authority to more than hold my position, I declined to march out from it."

The location of the federal forces at 4 p. m. may be briefly stated as follows: Shaw's brigade on the right, about one-third of a mile in advance of all other troops, across the main road leading from Mansfield to Pleasant Hill by which the enemy was expected to make their attack; the 1st division, 19th army corps, McMillan's and Dwight's brigades scattered around loosely on the right of the Mansfield road, anywhere from one-half mile to one mile to the rear of Shaw's line; Benedict's brigade on the left of the road a quarter of a mile to the rear of Shaw's left; A. J. Smith, with part of the 16th army corps to the left of the road in position so as to meet an attack from the Jessup road.

The rebel forces (as stated by Gen. Richard Taylor in his report) were in position as follows:

At 3 p. m., the infantry being somewhat restored by rest, the plan of attack was formed and the troops put in motion. The Arkansas and Missouri divisions, under Churchill and Parsons, with Etter's and Daniel's batteries, were sent to the right to outflank the enemy, reach the Jessup road, and attack from the South and West. Churchill, the senior officer, was to push Hardeman's, McNeill's and Terrill's cavalry to his right and to communicate with Walker on his left. When the enemy was driven, the cavalry above mentioned was to push down the Jessup road for twelve miles, take a cross-road leading into the Natchitoches road, and thus fall on the enemy's line of retreat. Walker fled to the right through the woods to form line between the Pleasant Hill and Jessup roads and com-

municate with Churchill's left. As soon as he heard Churchill's and Parsons's guns he was to attack by *echelon* of brigades from his right, the men to throw forward their right shoulders as they came into action. Orders were given to all to rely on the bayonet, as we had neither ammunition nor time to waste. These orders were well carried out, as many ghastly wounds among the federals testify.

On the left of Walker, Bee held Debray's and Buchel's cavalry in the main road from Mansfield, with orders to charge through Pleasant Hill whenever the right attack disordered the enemy. To the left of the road Major, with his own and most of Bagby's cavalry (dismounted) was to move forward, outflank the enemy's right, and gain and hold the Blair's Landing road. These latter movements were under the immediate charge of General Thomas Green. Polignac, whose division had suffered more than any in the previous battle, was held in reserve in the Mansfield road behind Bee's cavalry.

Thus it will be seen that my brigade was opposed to three brigades of cavalry under General Bee, Walker's division of infantry, consisting of three brigades and Polignac's division in reserve, supporting the cavalry division. Walker also had three batteries, viz: Nettle's, Mosley's and West's in front of my left. Opposed to Smith's troops and Benedict's brigade of the 19th army corps were Churchill's and Parsons' divisions of infantry, Harleman's, McNeill's and Terrill's cavalry, and Etter's and Daniel's batteries.

There had been desultory skirmishing along my front since about 11 a. m. At about 3:30 p. m. the enemy's skirmishers became very aggressive, especially upon my right, and I was compelled to support that part of my line with another company.

At 4 p. m., perceiving that the enemy was moving his artillery into position on the left of the road in the edge of the timber, and that the right of Walker's division had been moved forward, so that his line faced towards the position where my line crossed the road, I saw that an attack was imminent. I therefore sent word to my surgeon, Dr. G. M. Staples, who had taken one of the largest houses in the village for a hospital, "to be prepared to receive the wounded within half an hour, and to send forward ambulances and stretchers with necessary attendants immediately."

Here I may be allowed to relate a little incident which may account in some measure for my being left so far in ad-

vance of the rest of the army, without any orders, except to hold my position. While Dr. Staples was making preparations to receive the wounded, Gen. Banks rode up with several of his staff, and inquired:

"Who occupies this house?"

"I am occupying it as a hospital," replied Dr. Staples.

"I would like," said Banks, "to occupy it as my headquarters for the night."

"I cannot give it up," replied Staples, "for I have just received orders from Col. Shaw to be prepared to receive the wounded within half an hour."

"Oh!" returned Banks, "Col. Shaw has had a little skirmishing with the enemy's pickets, and thinks he is going to have a fight. I assure you, Doctor, there will be no fighting tonight."

At this, Dr. Staples (who was a particular friend of mine) got angry and replied:

"I shall only give up the house on the order of Col. Shaw. But (he added) you can occupy the upper rooms if you wish."

"That will do," replied Banks.

He then commenced to dismount, but before his left foot was out of the stirrup, the artillery opened in my front. Banks immediately rode rapidly away—but not in the direction of the firing. This was about 4:45 p. m.

Walker opened upon my line with three batteries; Nettle's, Mosley's and West's, disabled my battery, and forced it to retire to the rear, leaving one gun on the field.

Here I will give a concise statement of the action on this part of the field.

Gen. Green, seeing my battery leaving in some disorder, thought it time to charge down the Mansfield road with his cavalry. I was sitting upon my horse, with Col. Newbold, in front of the 14th Iowa, in order to get a better view of the enemy's movements in the direction of the artillery firing. Col. Newbold called my attention to the formation of the cavalry across the road on the further side of the open ground.

"I believe," he said, "that they are forming for a charge on our line."

In the meantime their artillery had kept up a rapid fire on my line, making frequent gaps in the ranks, when a shell bursting near me severely wounded my horse, admonishing me that they had got my range, and I had better change my position. Riding along my line I directed the regimental commanders to hold their fire until they got orders. My skirmishers on my right, who had not been recalled, had pushed forward into a clump of thick timber. As the rebel cavalry charged down the road these skirmishers, concealed in the woods to the right of the road, opened fire, doing considerable execution. The whole brigade immediately opened fire with such effect that those who were not either killed or wounded jumped from their horses, and concealing themselves in the ravines and among the small pines, escaped to the rear. I will, however, give the rebel officers' account of this affair, as they could see its effect better than I could. Gen. Taylor in his report says:

At about 5 p. m. Churchill and Parsons opened on the right and Walker commenced his advance in support. Just then our fire overpowered the enemy's battery in front of the Mansfield road and disabled his guns, which were removed to the rear. The confusion and movement incident to this, coupled with the sound of Churchill's and Parsons' attack, led Gen. Green naturally to suppose the time for Bee's charge had arrived. Bee led forward Debray's and Buchel's fine regiments in most gallant style across the fields and up the slope, where he was stopped by a close and deadly fire of musketry from the dense woods on either side of the road. Bee was struck, Buchel mortally wounded, and Debray and Major M. Menard, of the same regiment struck. Many a gallant horseman went down. Bee drew back, himself retiring last. The charge failed for the time, but the gallantry displayed by Bee, Debray, Menard and others produced its effect on the enemy.

Gen. Bee, commanding cavalry division C. S. A. reports as follows:

At 4:30 o'clock I was ordered in person by Gen. Green to charge with all the cavalry the enemy, who were in the same position as they had been all day, but were supposed by him to be wheeling in retreat. I at once moved with Debray's and Buchel's regiments that were formed in the road, ordering the other cavalry regiments to follow, and in columns of four moved rapidly across the space intervening between the two armies, but

before reaching nearer than two hundred yards from the enemy's line of battle, and before the order was given to deploy and charge, the command was literally swept away by a cross-fire at close range, from an enemy concealed behind a string of fence perpendicular to the enemy's line of battle. This fire was as unexpected as disastrous. Fortunately there were ravines of young pines on our right, which furnished somewhat of shelter until the shock could be recovered from; but the empty saddles, the men shot and falling in all directions, the confusion, produced a scene imperishable on my memory. Although the fire was now opened from the front as well as the ambuscade, what was left of Debray's gallant regiment succeeded in returning to our lines with a loss of one-third of their number. I had two horses shot under me. Col. X. B. Debray was injured by the fall of his horse, which was killed.

The rebel cavalry charge on my center and right had most signally failed, as is thus seen by Taylor's and Bee's reports.

I may here state that many of the enemy fell within my ranks. I was sitting on my horse in the ranks of the 14th Iowa when an officer riding at full speed pitched from his horse and fell at my horse's feet. Lieut. Logan, Co. I, lifted him up into a sitting posture. I asked his name and rank, he replied, "Col. Buchel, I am mortally wounded, lay me down." I, supposing he was dying, and being very much engaged, at that time gave him no further attention. Gen. Bee, however, states that he lived till the next day and died at his headquarters.

Walker, on my left and center, advanced diagonally across the open field (pushing his artillery well to the front) by *echelon* of brigades from his right, his first brigade striking my left flank, the 32d Iowa. Col. Scott, who gallantly met this attack by throwing back his left so as to strike Walker's advancing line partially in flank, and by opening a well-directed fire at close range, compelled the enemy to fall back in disorder. Walker's 2d and 3d brigades attacked successively my center (which consisted of the 27th Iowa, Col. Gilbert, and seven companies of the 14th Iowa, Col. Newbold), but the well-directed and rapid firing of these regiments soon checked their advance, although they kept up a very destructive fire, which caused heavy loss in these regiments, and which would have been much more fatal had

they not been protected by the nature of the ground. In the meantime Major's brigade of cavalry was dismounted and sent to the left, opposite to my right (24th Mo., Maj. Fyan, and three companies of the 14th Iowa).

Gen. Major, not having made any report, I here give the report of Col. George Wythe Baylor, one of his colonels :

Late in the evening our infantry and artillery came up, when we were ordered to charge. We immediately mounted and moved forward, but as our horses were some distance in the rear, Buchel's and Debray's regiments being formed and in the saddle had made a charge and been repulsed. Gen. Major then ordered our brigade to the left wing, where we were dismounted and attacked the enemy (the skirmishers before mentioned who had done such effective service in the repulse of the cavalry charge) in flank and drove them rapidly back to their breastworks, which had been hastily made of pine saplings and rails. The fighting was close and hot. Here Lieutenant Thomas W. English, adjutant of Madison's regiment, fell, gallantly cheering the men. The enemy had a very strong position. The pine logs and rails of which I have spoken were piled up at a right angle with the main road. Behind this the enemy were lying, and could only be shot when in the act of firing. Across a small enclosure and in rear of this temporary work was an abrupt hollow running parallel with it, where the enemy were securely posted in heavy numbers. We were not strong enough to dislodge them or flank them. Our position was such that we received a good portion of Buchel's fire, which we returned. It was now becoming dark and difficult to distinguish friend from foe. I explained to Generals Green and Major our position, and also pointed out to Lieutenant John Yost, of West's battery, who had just come up, the position of the enemy, and asked for reinforcements. General Polignac's regiments started to my assistance, but unfortunately just at this moment Lane's regiment, that had been ordered to our support, and who were on our extreme left, opened fire on us at 300 yards distance, and we were compelled to leave our position, some of Polignac's division having fired on us at the same time. A little more daylight would have enabled us with Polignac's division to flank the enemy, but Gen. Polignac not knowing the enemy's position did not wish to risk his men under so many cross-fires from friend and foe.

Walker had now rallied his broken columns, and pushing his artillery still further to the front, made a vigorous attack along my whole line to the left of the Mansfield road, but was stubbornly resisted by my men although our losses were very heavy, especially in the 32d Iowa.

While these operations were taking place on the right, Churchill and Parsons had passed my left, sweeping Bene-

dict's brigade of the 19th corps before them with scarcely any resistance, until they struck Smith's troops on our left. A few of them got as far as the Mansfield road, where they were checked by McMillan who was on the right of the road. Gen. Mower with two brigades of the 16th army corps met them, immediately checking their advance and driving them rapidly back. Part of them retreated in the direction in which they had advanced, others fell back along the left of the Mansfield road, coming up in rear of the 32d Iowa; but Scott, facing part of his regiment to the rear, received them so well that they sheared around his flank, leaving him to connect with Mower's advance in pursuit of the retreating foe.

This digression seemed necessary before I completed the account of the operations on our right.

At a little before 6 p. m., Gen. Smith, seeing the enemy had passed my left flank, which I could not see on account of the thick woods, sent a staff officer, Capt. J. J. Lyons, to me, ordering me to fall back and connect with Gen. Mower's right, as the enemy was getting in my rear.

I had already sent my adjutant, Capt. C. T. Granger, to him saying I must have support. (See Granger's statement published herewith).

At this time I was very heavily engaged along my whole line with Walker's division of infantry, and Major's dismounted cavalry. I told Capt. Lyons to say to Gen. Smith that I was so heavily engaged I could not then fall back without great danger, owing to the heavy timber in the rear of three of my regiments and the fierce attack in front; that as soon as I repulsed the present attack I would comply with his order. (See Capt. J. J. Lyons' statement—War Records).

On receiving Smith's orders I ordered Quartermaster Buell, who had just come up with a supply of ammunition, to hitch on to the gun left by the 25th N. Y. battery, and draw it to the rear, and learn where Mower's right was. I soon repulsed the enemy along my whole line. It was now getting dark, and I commenced the withdrawing of my bri-

gade from the right. On attempting to give the order to fall back to Col. Scott on my left, I found he had been entirely cut off by the retreating enemy (Churchill's and Parson's divisions), and I was forced to leave him without orders. I fell back with the three regiments I could communicate with, although the 27th Iowa being farthest in the timber got somewhat mixed up with the retreating rebels and suffered some loss from them, or from one of Dwight's regiments, which opened fire into the small pines, supposing the 27th was the enemy. I, however, formed my brigade on the ground occupied by Dwight when I fell back. Dwight immediately fell back out of sight. I remained in this position, or near it, until daylight next morning, when I was ordered to cover the retreat of Bank's army, which commenced about midnight.

I lost many brave and gallant men in this action, my casualties amounting to nearly 500, my whole force being less than 1,500. Of the 14th Iowa, Lieut. Col. J. E. Newbold, Lieuts. McMillan, Shanklin and Logan, were killed. Of the 32d Iowa, Lieut. Col. Mix, Capt. Amos B. Miller and Adjutant Charles H. Huntley were killed, and Lieut. Thomas O. Howard mortally wounded. Capt. H. F. Peebles, Capt. Michael Ackerman, Lieut. John Divine dangerously wounded. The total loss of the 32d was 210. Maj. Fyan having made no report of officers killed I am unable to give his loss. Col. Gilbert, 27th Iowa, having given his losses on separate paper, I am unable to present the names of his officers killed and wounded.

I might here close the account of this battle as far as my observation went, but the reports of Gen. Banks and Gen. Dwight are so inaccurate that perhaps some comment is necessary.

Banks makes the following report of the battle, page 183:

About 5 o'clock the enemy abandoned all pretension of maneuvering and made a most desperate attack upon the brigades upon the left center commanded by Colonels Benedict and Shaw. The line wavered at this point momentarily, but, supported by the First Vermont Battery, soon regained its position, and the enemy was repulsed. Finding the position so much stronger than anticipated, or in pursuance of other plans, he gradu-

ally worked his way to the center and right where the same desperate attacks were repeated upon our right flank, the whole force of the enemy gradually concentrating upon our right. The brigades of McMillan and Dwight repelled every attack, and drove him back with terrible loss. The brigade commanded by Gen. Dwight had been suddenly changed at the commencement of the action, so as to cover the right of our center and a part of the right flank, and became in the end the pivot upon which the entire lines changed front to meet the altered plans of the enemy. The battle lasted until 9 o'clock in the evening. The rebels had concentrated their whole strength in futile efforts to break the line at different points. The most severe pressure occurred toward the close of the engagement upon the front occupied by Gen. Dwight's brigade. The troops held in reserve moved forward at the critical moment and maintained our position, from which the enemy was driven precipitately and with terrible destruction of life. He fled to the woods on the right, and was pursued with great energy by the whole of our forces until it was impossible in the darkness to distinguish friend from foe.

I can truthfully state that in this whole quotation from Banks there is not one word of truth except that part which says: "About 5 o'clock the enemy . . . made a most desperate attack upon the brigades on the left center, commanded by Cols. Benedict and Shaw." In this quotation he says Shaw's brigade was on the left center, when in fact it was on the extreme right. (See Emory's map, also Shaw's map). Gen. Emory, page 392-3, says:

At about 5:15 p. m., he (the enemy) emerged from the woods in all directions, and in heavy columns completely outflanked and overpowered my left wing composed of the 3rd brigade and a brigade (Risdon M. Moore) of General Smith's command, which broke in some confusion and enabled the enemy to get temporary possession of four pieces of artillery of Battery L, First United States. My right stood firm and repulsed the enemy handsomely, and the left I think would have done so but for the great interval which was left between it and the troops to the left, leaving that flank entirely exposed, and the fall of the gallant leader of the Third Brigade, Colonel Benedict. I immediately ordered General McMillan's brigade from the right to the left, in the open space in the rear of the line of the Third Brigade, and ordered him to charge the enemy. Behind this line most of the Third brigade rallied, some joining themselves to McMillan's brigade and some to Gen. Smith's command; all moved forward together, and drove in the enemy's right flank more than one and one-fourth miles. Seeing their right wing driven in and thrown upon their left wing, they renewed their attack with great vigor upon my right, but were repulsed with great slaughter, and during the whole day my right, which

was in *echelon* in front of the rest of my line, held its ground against several determined assaults.

Banks further says: "The enemy, finding the position so much stronger than anticipated, or in pursuit of other plans, gradually worked his way to the center and right, where the same desperate attacks were repeated upon our right flank, the whole force of the enemy concentrating upon our right. The brigades of McMillan and Dwight repelled every attack and drove him back with terrible loss."

Emory says: "My right (Shaw's brigade) stood firm and repulsed the enemy handsomely. . . I immediately ordered Gen. McMillan's brigade from the right to the left in the open space in rear of the 3rd brigade, Col. Benedict."

This certainly disposes of Banks' statement that McMillan did any fighting on the right of the road. But further criticism of Banks' report is unnecessary. Reference to rebel reports, as well as all the official reports of Smith's forces, and Benedict's brigade, shows that the rebel right was driven back by our left, that our right (Shaw's brigade) withstood every attack of the rebel left till night closed, and Shaw retired under orders after the fighting had ceased; that Dwight, according to his own statement, was one-fourth of a mile in rear of Shaw's brigade on the right of the Mansfield road, and could not possibly have been engaged with the enemy, except the retreating forces of Tappan's division on the left of the road. It will be perceived that Emory, his division commander, does not mention Dwight or his brigade after the fight commenced.

I here give an extract from the report of Captain J. J. Lyon who brought the order of Gen. A. J. Smith for me to fall back and connect with Mower's left:

In riding up the road (down which the shot and shell and overshot bullets were flying) I passed the 25th N. Y. battery, the head of which had reached the field just beyond Pleasant Hill. I believe the rear part of the battery was abandoned in the road,—but anyhow I saw no infantry till I struck the line of the 14th Iowa, stretched across the road and then heavily engaged with the enemy, as was the 24th Missouri, both of which I could see, and also the flanking of the last named regiment. You also told me

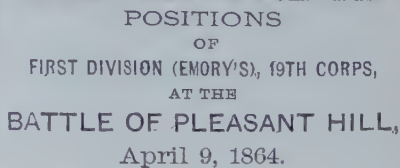
that you could not retire just then (being so heavily engaged) but would do so and connect on the left as soon as possible.

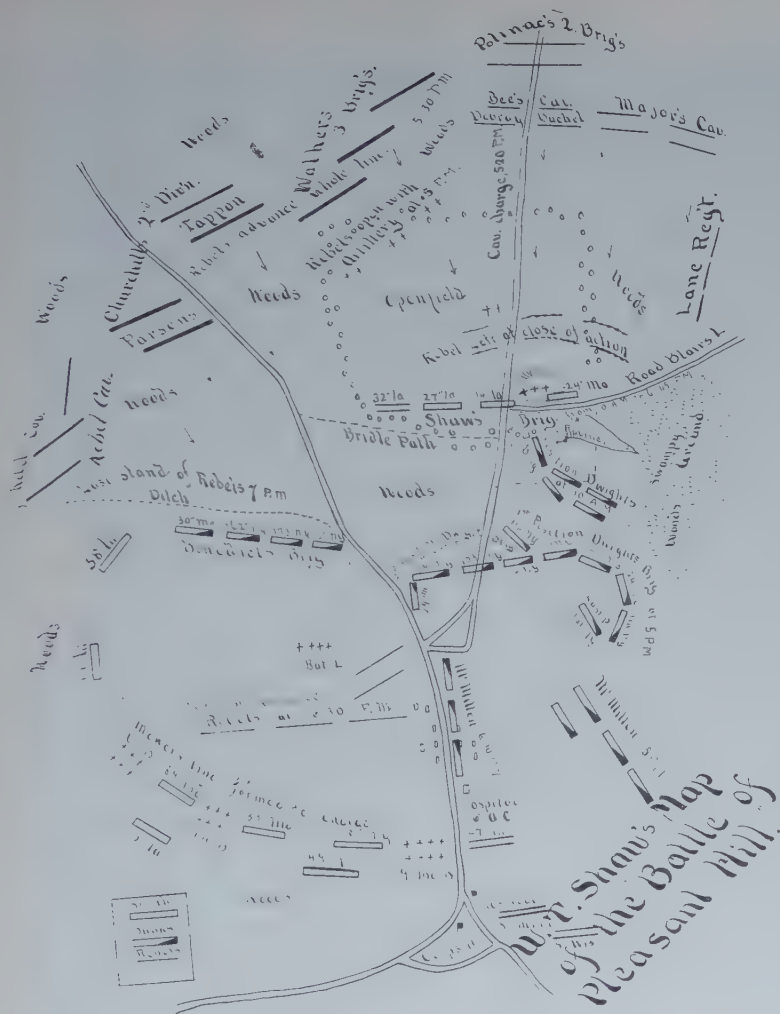
I have not quoted from the reports of Smith's officers, but will say they all corroborate the statements here made. I have only quoted from a few of Banks' officers reports and the rebel reports that I may show the great inaccuracy of Banks' and Dwight's reports. As before stated I sent Quartermaster Buell to the rear with the abandoned gun of the 25th N. Y. artillery. He was followed by quite a number of wounded, and men assisting them. Gen. Dwight says after having made certain dispositions of his troops, "Col. Shaw of Gen. Smith's division, with some artillery and a regiment of infantry came flying through my lines and the enemy was upon me." Nothing could be more untruthful than this statement. It might be possible that he should mistake Lieut. Buell for Col. Shaw, but that he could take a disabled gun hitched to an ammunition wagon, and followed by a few wounded men, for "some artillery and a regiment of infantry," seems impossible unless he was very much frightened; and as I had not yet withdrawn my brigade, which was one-fourth of a mile in front of him, it could not be possible that "the enemy was upon him." It also looks singular that with all the terrific fighting reported by Banks and Dwight neither Dwight nor any of his command report any loss in killed and wounded. Dwight says: "At this time the brigade was entirely surrounded by the enemy with the exception of the ravine on the right," thus flatly contradicting Banks who says: "The whole force of the enemy concentrating on our right the brigades of McMillan and Dwight repelled every attack and drove him back with great loss."

It will be observed that Emory says he moved McMillan to the left who joined with Smith in driving the enemy back on the left, and that Dwight says that the 13th Maine and 161st N. Y. on the right did no firing.

I may now concisely sum up the battle which the foregoing statements and quotations, I believe, will fully prove:

That Shaw's brigade was on the extreme right and front, opposed to Walker's division of infantry, Green's cavalry,





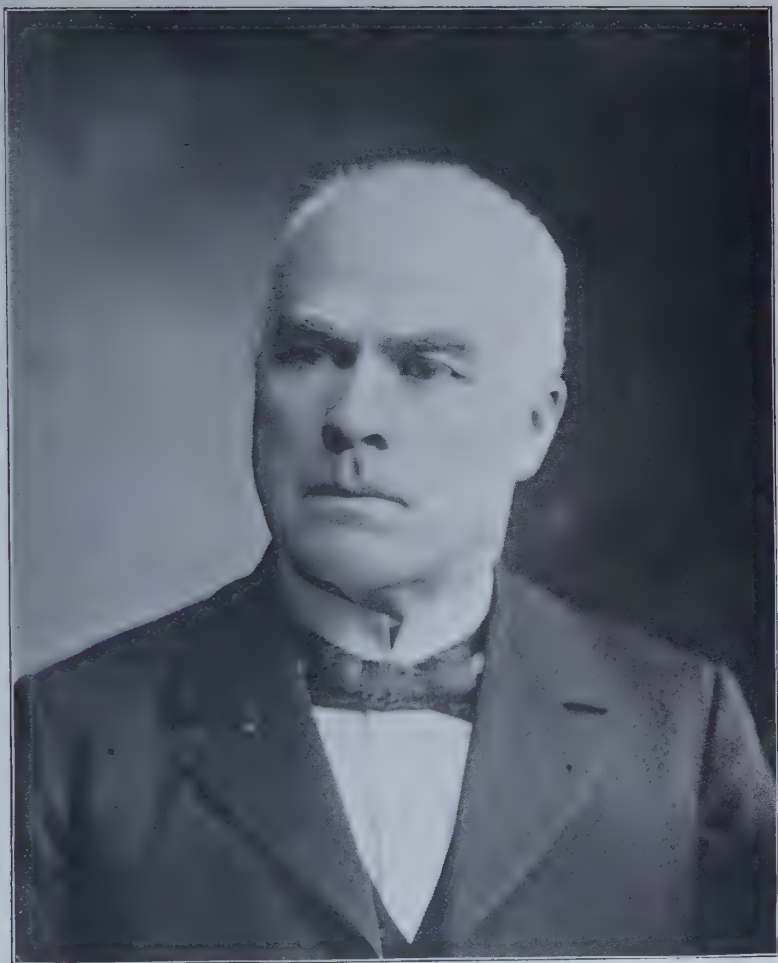
NOTE.—These maps need but little explanation; Emory's shows the position of my brigade, probably as it appeared to him from the road in the rear, at the time I moved the 24th Mo. to the right and front. My map shows the position at the close of action after the 24th had been compelled to fall back to the line of the old fence to prevent being flanked. As to the other positions marked on Emory's map I know nothing personally, but from the Rebel reports it would appear impossible there could have been any Rebels in the position marked "Rebels massing to attack at close of action." I can also say positively there was not a gun fired from that direction. Of the positions marked on my map other than that of my own brigade, I have given them from official reports of officers engaged in the battle. Of the Rebel positions there is no doubt of their correctness, as Taylor's report is clear and specific. With regard to the positions of the Federal forces I believe I have come something near being correct, still it is very much like guess work, as our official reports are very contradictory.

and Polignac's division of infantry in reserve, and repulsed every attack. Assaults upon his brigade continued without intermission from 4:45 p. m. till darkness ended the battle; that Benedict's brigade, 1st division 19th army corps, on the left and rear of Shaw, and the 1st and 3rd brigades of the 16th army corps, under Gen. Smith, were on our left and rear and opposed to Churchill's and Parsons' divisions with cavalry; that Dwight and McMillan were in reserve on the right of the Mansfield road; that Parsons and Tappan, commanding Churchill's division, drove Benedict back, capturing Battery L, U. S. artillery, until they struck Smith's troops and McMillan's brigade which had been moved to the left of the road, with fragments of Benedict's brigade, who drove them back on the left from one and a half to two miles, when darkness ended the pursuit.

JUDGE CHARLES T. GRANGER'S* STATEMENT.

By request of Col. William T. Shaw I here set down my observations and recollections of certain particulars of the battle of Pleasant Hill, Louisiana, April 9, 1864. Many of which are fresh in memory. Allowing for the differences in observation, by persons who witnessed the same event, there are some facts as to that battle that ought to be without dispute. I remember distinctly that Shaw's brigade was detached on the morning of that day from Gen. Smith's command of the 16th Army Corps, and was, by Gen. Emory, placed on the extreme right of the Union line, and across the Mansfield road, from a third to a half mile in advance of the remainder of the line, and in a position so that both flanks of the brigade were exposed. This brigade relieved that of Gen. McMillan which went to the rear. To the right, and from one-half to three-fourths of a mile in the

*Charles T. Granger was born in Monroe county, New York, October 9, 1835; settled in Allamakee county, Iowa, in 1854; admitted to the bar in 1860; entered the military service in 1862, as Capt. Co. K, 27th Iowa Infantry, and served through the war; participated in the capture of Fort De Russy, and in the battles of Pleasant Hill, Yellow Bayou, Tupelo, Old Town Creek, Nashville, Fort Blakely, and in many skirmishes; district attorney, 1867-73; circuit judge, 1873-87; district judge, 1887-88; supreme judge, 1889-1900.



Sincerely Yours,

Charles T. Granger

CAPT. CHARLES T. GRANGER.

Acting Asst. Adj't. General on the staff of Col. Wm. T. Shaw at the battle of Pleasant Hill, La., April 9, 1864; at present (1898) Judge of the Supreme Court of Iowa.

rear of our line, was the brigade of Gen. Dwight, but not in the line of battle. By order of Col. Shaw, I placed the skirmish line of our command soon after taking our position. Through the day, until about 4 o'clock, little of note occurred. About that time the artillery of the enemy opened on a section of the 25th N. Y. battery, occupying a rise of ground just in front of the main part of our line, which was somewhat disconnected by a part of the 14th Iowa, and the 24th Missouri being a few rods in advance of the rest of the line, to better command the open field in front. The battery was practically on a line with the advanced portion of the brigade, but it soon retired, leaving one gun which was taken off the field later on by Lieut. Buell. This was followed by a cavalry charge on the right of our line which was nearly annihilated by one or two discharges of musketry. Then came the Confederate columns of infantry in overwhelming numbers, so that it seemed, as the facts afterward appeared from the reports of the Confederate officers in command, that they had massed their forces for a crushing assault on that part of the line. The enemy came in such numbers, and with such a length of line that it succeeded in turning our left flank, the 32d Iowa, under command of Col. Scott, which met the situation heroically and as successfully as seemed possible in view of the surroundings. Our line was practically held intact until orders came from Gen. Smith to fall back so as to connect with the line of the 16th Army Corps under Gen. Mower. As our right flank became endangered Col. Shaw sent me, and I think others of his staff, to ask Gen. Dwight to come to his relief on the right, supposing him to be in reserve for such a purpose. I was unable to find Gen. Dwight with his command, nor could I find him at all. At that time his command was not engaged nor under fire, but it was on the right of the Mansfield road and quite a distance from it. On my return Col. Shaw ordered me to go to Gen. Smith and tell him that Gen. Dwight had left, that his flank was being turned, the ammunition short, and that he must have support. I found Gen. Smith back of the main line of the Union forces, near where we

had reported to Gen. Banks in the morning. On my way to Gen. Smith, I saw Gen. Emory, dismounted, and giving orders, in person, to a battery toward which the enemy was advancing, and after a discharge, it, as well as the lines under command of Gen. Emory, commenced a hasty retreat. The appearance then was that the day was lost, as the main part of the Union line was giving way, and batteries and infantry were retreating in disorder. The advance of the enemy's line was, assuming the line of the Mansfield road there to be north and south, from the northwest, so that, if the advance continued, it would cross the road in the rear of our brigade. Its advance may have been far enough so that the left of its line may have reached the road, but I am confident not farther, for by that time I had delivered the message to Gen. Smith, and was returning, so that I had a fair view of what transpired.

And just there I witnessed a signal and gallant military feat not falling to the lot of every volunteer soldier. The enemy came forward flushed with the prospect, and their shouts gave evidence that the victory was theirs. And so it seemed to the observer who knew not what they were at once to encounter. They came up a gradual slope and when just at its top, as if from out of the earth, rose Gen. Mower's command of the 16th Army Corps, and with a volley and a charge, and in much less time than I can state the facts, it put that line, so confident a moment before, in full retreat and with results so well known to history. Had not the main body of Taylor's army been held in check by our brigade no such feat would have been possible. It was more than a passing compliment, it was an historic fact, when Gen. Banks said that night: "Gen. Smith, your command has saved my army." It is to be regretted that subsequent official reports are not as well in line with the truth. Excepting a slight detour, when it seemed that I must get around the flank of the rebel line, which was driven back by Gen. Mower's charge, I followed the Mansfield road in going to and returning from Gen. Smith. And I have positive knowledge that, except in our front, there was no fighting on

the right of the Mansfield road. Had Gen. McMillan's or Dwight's brigade been engaged, they being on the right of the road, it would not have been possible for any person to pass along that road, for the Confederate line must have crossed it. Capt. Lyon, afterwards of Gen. Smith's staff, also came along that road with orders for Col. Shaw to fall back and connect with his line. This line of road was also constantly used to carry back the wounded as is generally known by those engaged in that work. When I returned with word from Gen. Smith I found Col. Shaw engaged in a spirited conversation with some officer whom I did not know, and he was insisting, against what seemed to be his wishes, that he could not fall back under such a fire—that our safety was in holding for support or repulsing the enemy. I may be justified in stating literally Gen. Smith's answer when I delivered Col. Shaw's message. It was: "Where in h—ll is Dwight?" repeating the expression as if astonished, and then answered that relief would be sent. As darkness came on, relief came, and we fell back a short distance and formed in line where we remained during the night. The falling back was as orderly as it could be in passing through heavy timber.

There could be no more palpable misstatement than that contained in the report of Gen. Dwight as to the manner in which our brigade fell back. It is exceedingly strange that Col. Shaw should have lost one-third of his men in that battle, and Gen. Dwight none, if the statements of the latter are true, and his brigade did the severe fighting.

AN ARMY LETTER BY QUARTERMASTER T. C. MCCALL.*

GRAND ECORE, LA., April 16, 1864.

On the 7th of this month, two divisions of the 16th Army Corps, commanded by Gen. A. J. Smith, were ordered to march with Gen. Banks' army from this place to Shreveport, a distance of ninety miles by land, while our transports con-

*Thomas Clifton McCall was born on a farm near Canton, O., September 4, 1827. His grandfathers were both soldiers in the Revolutionary War. His father, Samuel

veying one division of the 17th Army Corps, accompanied by several gunboats for protection, were to run up the river and meet us at Shreveport. General Banks' army was composed of the 13th and 19th Army Corps. The two divisions of the 16th Army Corps above mentioned and seven or eight thousand cavalry under Gen. Lee, were under way by 7 o'clock, and although it rained the greater part of the day, we marched fifteen miles, and on the 8th twenty miles, Gen. Smith's command camping one mile east of a little town called Pleasant Hill. About 10 o'clock that night, we learned that the 13th Army Corps and Gen. Lee's cavalry had been attacked, badly cut up and driven back by the enemy, they being some twelve miles in advance of us; and by one o'clock on the morning of the 9th a portion of Lee's cavalry and the train and the stragglers of the 13th Corps commenced passing our camp to the rear, and continued to do so until after daylight. In fact it was a perfect rout, and as there were two Iowa regiments belonging to the 13th Army Corps that day engaged, for their benefit I will here state, that from the best information I could gather from officers and men who took part in the battle, the 24th and 28th Iowa did their whole duty; but they with the other troops of the 13th Army Corps were fed out piece meal to the rebels, and the fault was entirely with the commanding general and not with the men.

But I will confine myself to facts within my own knowledge. About 9 o'clock on the morning of the 9th Gen. A. J. Smith's command was ordered to the front, as the rebels were within two miles of Pleasant Hill. The 2d Brigade

W. McCall, was a soldier in 1812, and was wounded about the time of Hull's surrender. T. C. McCall removed to Polk Co., Iowa, in 1816, and taught the first school east of the D. M. river. He was afterwards in the real estate business in Des Moines, but in 1858 removed to Nevada, his home thereafter. In 1862 he was commissioned quartermaster of the 32d Iowa Infantry and served with the regiment until 1864—after the Tupelo expedition—when he was commissioned Assistant Quartermaster, with the rank of Captain. He was not mustered out until November, 1865, seven months after the war ended. He was retained in the service until that time owing to his great efficiency in winding up business matters connected with the army. He was a member of the Iowa House of Representatives in 1862, 1882 and 1884, and was elected State Senator in 1891. He served in the session of 1892, though in failing health, and died August 11, of that year. The Senate Journal of 1894, pp. 129-136, contains a report of the tribute paid by that body to the memory of this pioneer settler, soldier and legislator.

of the 3d Division, 16th Army Corps, was composed of the following regiments: 14th Iowa, Lieut.-Col. Newbold; 27th Iowa, Col. Gilbert; 24th Missouri, Maj. Fyan, and the 32d Iowa, Col. John Scott. This brigade, commanded by Col. Wm. T. Shaw of the 14th Iowa, was ordered to form in line of battle immediately in front of the rebel forces and about one and a half miles west of Pleasant Hill. This order was well and promptly obeyed, the 24th Missouri on the right, 14th Iowa on the right-center, the 32d Iowa on the left, and the 27th Iowa on the left-center, with a line of skirmishers thrown out fifteen or twenty rods in advance of their main line. Thus matters stood until 4 o'clock p. m.

In the meantime, however, Gen. Banks had started his train and the greater part of his cavalry back to Grand Ecore, ordering Gen. Smith's train to fall in with them; but Gen. Smith positively refused to have a team moved. Gen. Banks had also well arranged his army (in my humble opinion) for a desperate battle, with the exception that his line on the left of the 32d Iowa was placed not less than eighty rods to the left and in the rear of that regiment. This defect in the line Col. Scott and Col. Shaw tried to have remedied long before the battle began, but from some cause or other it was not done. About 4 p. m. the rebels began the attack—first on the 32d Iowa—and Col. Shaw's entire brigade was soon hotly engaged. Thirty minutes had not elapsed before the rebels, taking advantage of the defect in our line, before mentioned, had made their way round the left flank of Col. Scott's regiment and in heavy force attacked our entire army, and for almost an hour pushed our forces steadily back, except Col. Scott's regiment. This was so nearly surrounded by the rebels, that when Gen. Smith ordered Col. Shaw to have his brigade fall back, he (Col. Shaw) found it impossible to have the order conveyed to Col. Scott; consequently our brave Colonel remained surrounded by his little band of heroes, fighting hordes of rebels on every hand, until the battle was almost over—our forces having by most determined bravery driven the rebels in turn and regained the greater part of the ground

they had lost, he availed himself of the opportunity, and led his men by the left flank obliquely within our lines. Night having closed in, the firing soon ceased and the battle was over. Our army held the same ground as before the battle, except that part occupied by Col. Shaw's brigade, which was outside of our lines. As our entire army was ordered to fall back to Grand Ecore; all were under way by 3 o'clock on the morning of the 10th. We were unable to gather up our dead and wounded and give them proper attention. This was a source of much regret to all the officers and men of Col. Shaw's brigade, and particularly Col. Scott, as he had left so many of his brave men suffering on that field. I am satisfied that if he had known, when the battle was over, that we were to fall back at 3 o'clock the next morning, nothing could have prevented him from bringing his dead and wounded from the field.

The engagement at Pleasant Hill, though of short duration, was a severe and well-fought battle—the opposing forces being very nearly equal. Gen. Banks' forces numbered nearly twenty thousand, and the rebel force from twenty to twenty-eight thousand. Col. Shaw's brigade lost almost as many men in killed, wounded and missing as the balance of our entire army, being nearly 500 of that number. Col. Scott's regiment lost 209, of whom 53 were killed, 130 wounded, and 26 missing. The regiment went into the fight with 440 men. Among the killed of the 32d Iowa were Lieut.-Col. Edward H. Mix, a brave and experienced officer. He was shot dead on the field. Next on our list is our once mutual friend, Capt. A. B. Miller, who was too well known and appreciated in Iowa to need any praise from me. He was mortally wounded, and died on the 12th. First Lieut. Howard, of Capt. Miller's company, was also mortally wounded, and died on the 12th. Second Lieut. Griffin, of the same company, was taken prisoner, and Orderly Sergeant Brockway, of the same company, was severely wounded, leaving the company without an officer. Capt. Hubert F. Peebles, of Co. C. dangerously wounded, had his leg amputated; Capt. Ackerman, Co. A, was also dangerously wounded.

Lieut. Devine, Co. F, shot in the knee, had his leg amputated. Second Lieut. Wright, Co. E, severely wounded, and all of them prisoners. Adjutant Charles H. Huntley is missing, supposed to be a prisoner. Lieut.-Col. Newbold, of the 14th Iowa, was killed. He was an excellent officer, and adored by his men.

But the most bitter part of the whole affair was that after we had fairly whipped the rebels and driven them from the field, we disgracefully fell back (or rather retreated) leaving our dead and wounded to the mercy of our enemies. We have learned satisfactorily that one regiment of rebel cavalry was so badly routed that they never stopped till they reached Mansfield, some twenty miles distant; and that two divisions of their infantry were so panic-stricken that they never halted until they were six miles from the field—and that the entire rebel army except their pickets fell back six miles that night.

I have no more time to write, but send you this communication to set Iowa regiments right, at least with their friends, for I notice the newspaper accounts from this department do them great injustice. For instance, in a New York paper, it was stated that Fort De Russy was captured by certain New York regiments, while I know of my own personal knowledge that Fort De Russy was captured by Col. Shaw's brigade, and the 14th, 27th and 32d Iowa were the first to mount its walls. From what I have already heard, I fear Iowa troops will be misrepresented in the reports of the battle of Pleasant Hill, and it should not be so, for Gen. Banks on the morning after the battle thanked Gen. Smith for saving his army.

Gen. Banks is now fortifying here, and I have no idea what will be the next move. I am sure of one thing, however, viz: we would like to move out of this department.

T. C. McCALL.

Iowa State Register, May 14, 1864.

MAJOR-GENERAL FREDERICK STEELE.

BY MAJOR JOHN F. LACEY,
Assistant Adjutant General on his staff.

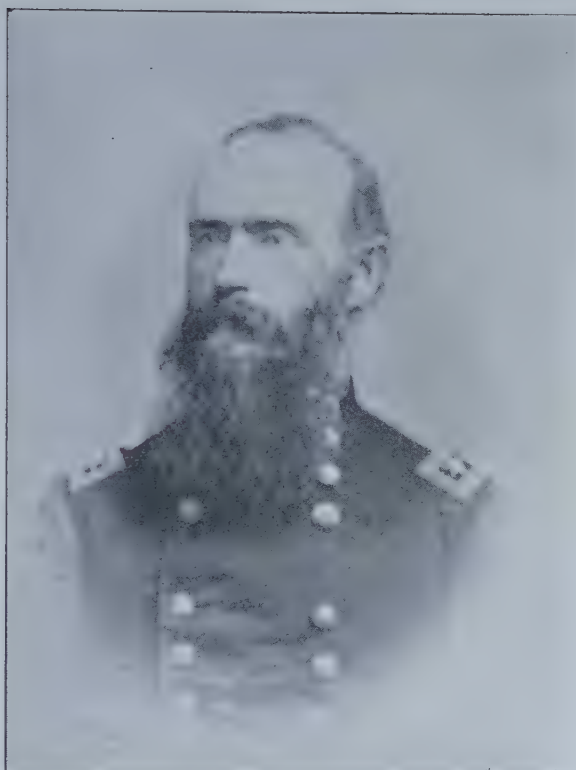
Major-General Frederick Steele is entitled to a conspicuous place in the annals of Iowa. His service as colonel of an Iowa regiment was not long, but his entire service from the beginning to the end of the war was in command of Iowa troops. Though his command was not made up wholly from Iowa regiments, yet it so happened that the "Hawkeye" State always furnished a very considerable portion of the soldiers under his command.

A biography* of Gen. Steele would be out of place in this article. It would take a large volume to give a detailed account of his life and services. It would include the Scott campaign in Mexico, a long term on the frontier, the campaign of the early part of the late war in Missouri and Eastern Arkansas; the battles near and the siege of Vicksburg; the campaigns in Arkansas and against Mobile and finally the movements on the Rio Grande, in Texas. His actions are all recorded in the history of each of these campaigns, and he filled an important part in them all. I will therefore indulge in sketches and reminiscences only.

Frederick Steele was born at Delhi, in New York, and he entered West Point as a cadet June 11, 1839, being then twenty years and five months old. His residence as given in the Academy Records was Delhi, Delaware county, New York. He served at West Point from July 1st, 1839, until July 1st, 1843, when he graduated as thirtieth in a class of thirty-nine.

In a recent visit to the Military Academy, I examined the Adjutant's Records for the four years during which Steele was a cadet.

*Gen. Steele's military history may be found very complete in "Gen. Cullum's Biographical Register of the Officers and Graduates of the United States Military Academy."



*Your Obedt. Servt.
F. Steele*

MAJOR GENERAL FREDERICK STEELE.
First Colonel of the Eighth Iowa Infantry.

The names of many of his associates at the Academy have since been entered upon the immortal pages of history. Among the names of the young men with whom he served, I found the following: William T. Sherman, Stewart Van Vliet, George H. Thomas, Horatio G. Wright, Amiel W. Whipple, T. J. Rodman, A. P. Howe, Nathaniel Lyon, George Stoneman, W. G. Peck, Alfred Pleasanton, William F. Smith, Fitz-John Porter, Henry Coppee, John W. Davidson, Delos B. Sackett, DeLancy Floyd Jones, Gordon Granger, D. A. Russell, John G. Foster, D. N. Couch, Jesse L. Reno, George H. Derby (famous as "John Phoenix"), George B. McClellan, J. P. Garesche, John F. Reynolds, Joseph J. Reynolds, Don Carlos Buell, William S. Rosecrans, John Pope, Abner Doubleday, Rufus Ingalls, Fred T. Dent, I. F. Quinby, W. B. Franklin, John Newton, J. J. Peck, J. A. Hardie, C. C. Augur, W. S. Hancock, C. S. Hamilton, George Sykes and Ulysses Hiram Grant. Some of these men preceded Steele in their entry at the Academy, others entered while he was there and graduated later, but they were all his schoolmates.

The lives of the men whose names are above given, would be practically a history of the war of the rebellion, and no inconsiderable part of the Mexican war. On the rebel side during this same period I found the names of R. J. Ewell, Thomas J. (Stonewall) Jackson, Dabney H. Maury, Cadmus M. Wilcox, George E. Pickett, Samuel B. Maxey, B. E. Bee, Bushrod Johnson, R. S. Garnett, R. B. Garnett, Earle Van Dorn and James Longstreet, all of confederate fame.

Open Plutarch's Lives and observe what a splendid array of soldiers he has collected and described. But to write these charming and instructive biographies he looked over the field for thirteen hundred years, beginning with Theseus and Romulus in the dim era of remote and fabulous antiquity and ending with Otho in the days of Roman power and greatness, before the empire had begun to fall into decay. But here we have the history of ages compressed into a brief period of four years, and in these four years the schoolmates

of Frederick Steele furnished great names enough to supply another Plutarch with abundant themes.

Grant, Sherman, Pope, Doubleday, Wright, McClellan, Buell, Newton, the two Reynolds, Hancock, Augur, Franklin, Peck, Quinby, Thomas, Dent, Ingalls, Rodman, Rosecrans and Lyons, furnish a galaxy of names that showed that we were not passing through any sterile period of the world's history.

The most democratic of all military organizations is that of the academy at West Point. These boys are taught to respect the civil power from the very beginning of their service. Each one is chosen by a member of Congress, and must be a resident of the district from which he is selected. The President has the power of choosing ten cadets, which places are commonly distributed among the sons of army officers, but most of the cadets come directly from the common people and from every locality of the country. The cadet is usually the son of parents whose political views agree with those of the congressman who makes the nomination, and therefore the boy is commonly chosen from the ranks of the dominant political party in his district. No difference which party happens to be in power, there is sure to be first-class material from which to make this selection, and every congressman feels a pride in making the choice of a youth who may do him credit in after years. These boys thus secure their start in military life from the civil power. The Secretary of War is almost invariably a civilian, and the whole course of a regular army officer's life is subservient to instead of in conflict with the civil law.

At the outbreak of the war, the regular army officers divided as the people did, largely upon sectional lines, but the officers of the Union never ceased to look to the civilian President as his Commander-in-Chief. This could all be changed in a single generation, by allowing the General of the Army to appoint the cadets. We would soon have an office-holding class with purely military antecedents, which would be a great danger to a free government. Or the cadet corps could be reduced to a dull dead level of mediocrity by

adopting the system of drawing through a civil service examination.

Mr. Ward, the obliging custodian of the Records at West Point, showed me the class history of the men whose names I have given. Mr. Ward keeps this Record and administers the oath of office to the cadets, from which, the boys irreverently refer to him as "So help me God." He has at his finger ends the daily record of every officer who has ever graduated at that institution.

Grant, whose name got changed in his appointment to Ulysses Simpson Grant, graduated in the class of 1843 as No. 21, while Steele was No. 30, and W. B. Franklin No. 1. But he signed his name near that of Fred. Steele as "Ulysses Hiram Grant." It was interesting to note the schoolboy writing of these names on the register.

The class standing of Cadet Steele may be of interest as illustrating the methods of the institution. At the January examination 1840, he stood No. 17, in a class of 73; in June of the same year he stood No. 16, in a class of 50; in June, 1841, he stood 27 in a class of 54; in June, 1842, he stood 30 in a class of 41, graduating in June, 1843, No. 30 in a class of 39, the missing members of the class having dropped out from time to time for various causes. His report of demerits was for trivial matters only, occupying less than half the space accorded to Cadet Grant. His demerits the first year were 43, the second year 21, third year 12, and fourth year 32—a total of 108; while Grant's demerits were as follows: First year 59, second year 58, third year 74, and fourth year 44, aggregating 235.

There were no vacancies in the regular army when Steele graduated in 1843, and hence he was appointed Brevet-Second-Lieutenant in the 2d Infantry, and did not rise to the dignity of even a full-fledged Second Lieutenant until March 15, 1846. He served in the Mexican War, commanding a company of regular infantry. He was brevetted First Lieutenant for his gallantry at Contreras, and brevetted captain after the storming of Chapultepec, in which he was a volunteer in the assaulting party. He also fought at Ocalaca,

Churubusco and Molina del Rey. After the Mexican War he served on the frontier and in California a part of the time as adjutant on the staff of Gen. Riley. The friendship between Grant and Steele undoubtedly had considerable to do with General Steele's career in the army. Grant was an admirable judge of military men, and was always true to those in whom he had confidence. Adjutant-General George D. Ruggles told me a story recently, illustrating Grant's friendship for Steele. Ruggles went out to Fort Ridgely and other frontier posts as a young officer soon after Grant had resigned from the army. Grant was commonly nicknamed "Sam Grant" in those days by his mess-mates. When Ruggles' regiment was ordered to St. Louis, some older officer had said to him: "You must be sure and get acquainted with Sam Grant, he is living on a farm near St. Louis." One day Grant was pointed out to him in the street sitting upon a wagon load of wood which he had brought into the city to sell. Ruggles introduced himself, when Grant immediately began talking about "Alf. Sully and Fred. Steele," and seemed unwilling to talk of anything else as Ruggles had late news from those old friends who were out on the Plains. General Ruggles did not meet Grant again for some time until, going North with his regiment again, the steamer upon which they were being transported landed at Galena, where Grant was then connected with the now famous leather store. The presence of the troops attracted Grant to the landing where Ruggles again met him, and he immediately began to talk about "Alf. Sully and Fred. Steele." The boat did not lie long at the landing, and Ruggles did not meet Grant again until 1865 at City Point, Virginia, when the great General had been placed in command of all the armies of the United States. Ruggles went up to headquarters and found him busily engaged in drafting with his own hand a number of orders for the next day's movements. He waited the pleasure of the General until he had completed his task, when Grant turned around, took his cigar out of his mouth and inquired when Ruggles had last seen "Alf. Sully or Fred. Steele?" This simple story illus-

trates how far-reaching were the impressions acquired upon the drill ground and in the class rooms at West Point. Gov. Kirkwood selected a few distinguished officers from the regular army to appoint as colonels of Iowa regiments. Wilson's Creek attracted the Governor's attention to Steele, and on the 24th day of September, 1861, he was appointed Colonel of the 8th Iowa Infantry. At that time he was holding the position of Major in the 11th Regular Infantry. On the 29th of June, 1861, he was appointed Brigadier-General of Volunteers. He was commissioned Major-General of Volunteers March 15, 1863, to rank from November 29, 1862, and was honorably discharged as Major-General of Volunteers May 1st, 1867.

While Colonel of the 8th Iowa, he commanded the 5th Division, Department of Missouri, from November, 1861, to January, 1862; as a Brigadier-General from March 11, 1862, to May 21, 1862, he commanded the Southeastern District of Missouri, and then until August 29, 1862, the 1st Division of the Army of the Southwest. Then until November 30th, 1862, he commanded the District of Eastern Arkansas. From December 21, 1862, to January, 1863, he commanded the 4th Division of the right wing of the 13th Army Corps. From January, 1863, to March 13, 1863, he commanded the 1st Division, 15th Army Corps. As Major-General of Volunteers he held the following commands: March 13 to July, 1863, he commanded the 1st Division, 15th Army Corps; August 5, 1863, to January, 1864, he commanded the army of Arkansas; from January 20th, 1864, to December 22, 1864, he commanded the Department of Arkansas, which was also the 7th Army Corps. He was then relieved by General Joseph J. Reynolds, who was also a graduate of the class of 1843, and from January 8, to February, 1865, he commanded the United States forces at Kenner, Louisiana; from February to April, 1865, he commanded the United States forces operating from Pensacola Bay against Mobile.

After the capture of Blakely, he was assigned to the command of the forces on the east side of Mobile Bay, from April 13 to May, 1865, when he commanded the forces

operating in Northern Alabama. June 1st he was in command of the troops embarking from Mobile to Brazos Santiago, Texas, and from June 9 to August, 1865, he had command of the Army of Observation on the Rio Grande. From August, 1865, to October of the same year, he commanded the Western District of Texas. He was then transferred to the Department of the Columbia with headquarters at Portland and Fort Vancouver, which was his last command.

During this time he was promoted in the Regular Army to Major, then to Lieutenant-Colonel of the 3d Infantry, and Colonel of the 20th Infantry July 28, 1866, and brevetted Major-General. After his discharge as Major-General of Volunteers, he was relieved from duty November 23, 1867, and before joining his regiment died suddenly of apoplexy January 12, 1868, at San Mateo, California.

This is a brief outline of a great career, for which General Steele never received the credit to which he was entitled.

He was not as successful in *editing* his campaigns as some of his colleagues.

The first severe battle in which General Steele fought in the late war was at Wilson's Creek, where the gallant General Lyon fell too early to give the country his best service, but in time to show our soldiers how to die. Steele, with his little battalion of regulars, was near the Iowa troops. The 1st Iowa Infantry had remained beyond their term of enlistment to join in the battle. Our people were downhearted over the defeat at Bull Run, but Wilson's Creek came to cheer the friends of the Union cause. Iowa troops were always with Steele from this time until his last battle, when he stormed Fort Blakely in what was the last hard battle of the war. With Iowa troops he made the march from Southeastern Missouri to Helena and thence to Chickasaw Bayou; and again in connection with Iowa troops he took part in the capture of Arkansas Post, returning again to Vicksburg where he was one of Grant's most trusted lieutenants in all the movements and battles which resulted

in the capture of Pemberton's Army, when the Mississippi was again permitted to "flow unvexed to the sea."

Again, he marched to Jackson, always with Iowa troops, and back to Vicksburg, then up the river on transports to Helena, there to take command of the Little Rock Expedition where his favorite Iowa troops continued to form a large part of his command.

This campaign was important in its general results, but the skill of his maneuvers prevented much bloodshed, and the brilliancy of his strategy was overshadowed by other more interesting movements that were full of carnage. His skillful crossing of the Arkansas, and the turning of Price out of Little Rock would delight the military student. The troops that Grant had hurried forward to reinforce him found that he had already accomplished the purpose of his campaign. Thenceforth the line of the Arkansas became a defense to the Union cause in Missouri. Confederates crossed that line often, but their presence was only temporary, and when Price last broke through and invaded Missouri it was fatal to his command. But few of his men returned.

Steele's position in Arkansas, when not engaged in actual campaign, was an unfortunate one for any soldier, and especially for one as kind and humane as he. He was compelled to act the part of a restorer of civil government where the country outside of his pickets was all hostile. He never made war on women and children, and yet the whole population were enemies. He was directed to attempt to restore the civil law and he carried in his train an honored and excellent Unionist, Isaac Murphy, who was (inside of Steele's camp only) the Provisional Governor of Arkansas. This civil Governor had to look to Steele's commissary for the rations for himself and family.

Mr. Lincoln took a profound interest in this premature attempt to inaugurate a loyal civil government in Arkansas, and after the failure of the Red River campaign the President wrote with his own hand the following letter, which Captain Richard P. Strong of Steele's staff, now of the 4th

U. S. Artillery, has sacredly preserved, having found it among General Steele's highly prized relics:

EXECUTIVE MANSION, WASHINGTON, }
June 29, 1864. }

MAJOR GENERAL STEELE:—I understand that Congress declines to admit to seats the persons sent as Senators and Representatives from Arkansas. These persons apprehend that, in consequence, you may not support the new State government there as you otherwise would. My wish is that you give that government and the people there the same support and protection that you would if the members had been admitted: because in no event, nor in any view of the case, can this do any harm, while it will be the best you can do towards suppressing the rebellion.

Yours truly,

A. LINCOLN.

Horace Greeley was brilliant and honest, but sometimes unfair and erratic. He assails Steele in his *American Conflict* as the enemy of emancipation. But nothing more unjust was ever written. Steele recruited the negroes of Arkansas into regiments and, though he doubted their qualities as soldiers, he first saw them tried at Jenkins' Ferry, and in his final campaign against Mobile a whole division of negro troops under General Hawkins formed a part of his command. Steele treated these troops with confidence and found them faithful and brave. But he found it hard to be severe against those who had no arms in their hands. There was nothing of the Weyler in his disposition. He was urged by many to use more rigor—to be more severe. I remember even when a Union officer appealed to him in verse to

"Strike home unceasing—let the traitors feel
Within the velvet glove the hand of Steel."

In the spring of 1864, it was determined to move the line of the Arkansas to the Red River and attempt to pacify a still larger part of the Trans-Mississippi country. Steele's movements were in accordance with his previous record as a campaigner. But unfortunately he and Gen. Banks were attempting to cooperate upon independent lines, at too great distance from each other, and the defeat of Banks threw all the army of Gen. E. Kirby Smith upon Steele. The loss of General (now Governor) F. M. Drake's brigade at Mark's Mills, rendered necessary a retreat to the line of the Ar-

Executive Mansion,

Washington, June 29, 1864

Major General Steele

Understand that Longren av-
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Yours truly,

Abraham Lincoln

kansas. The movement by which Steele reached the Saline at Jenkins' Ferry, instead of at Benton, would also be highly interesting to the military student, for though it led to the bloody battle of Jenkins' Ferry, with a swollen river at his back, and though many brave soldiers died there, yet it saved the army and held firmly the old line of the Arkansas. And here again Iowa troops stood General Steele in good stead, and the gallant General Samuel A. Rice lost his life.

In this brief article whilst I speak so often of Iowa men, I do not wish to disparage the other splendid troops whom he commanded, but rather to show how intimately the service of General Steele was linked with that of Iowa soldiers.

Steele's return to Little Rock placed him again where he was compelled to take up the premature and aggravating business of political reconstruction. Grant wisely resolved to put his friend again where he was at his best, with troops in the field, and Canby sent Steele's old classmate, J. J. Reynolds, to relieve him at Little Rock and placed him in an important command of that part of the army operating from Pensacola against Mobile.

When Steele was relieved of the command of the Department of Arkansas in the winter of 1864 Grant at once desired the benefit of his services in the Army of the Potomac, intending to place him in command of the 9th Corps.

Grant wrote Gen. Halleck December 14, 1864: "What has been done with Steele? He is too good a soldier immediately in command of troops to leave idle? . . . I think it will be better to order him here in command of the Ninth Corps and send Parke to Canby."

But Halleck had already sent Steele to New Orleans and the order was not changed.

Steele's movements from Pensacola mystified the enemy but were fully understood when his army closed in unexpectedly upon the defenses of Blakely.

Blakely was held by General F. M. Cockrell, now Senator from Missouri. I had learned to fully respect Steele's talents and capacity as a General in command of troops in the field, and had he been kept with Grant or Sherman in that

capacity his military history, illustrious as it was, would have been much more important. His skill in the conduct of a siege was now tried, and in one week's time his lines of approach had been pushed sufficiently to make an assault practicable.

The siege of Blakely culminating with the storming of the works on April 9, 1865, was one of the closing events of the war, and its importance was not understood by the country, because it was over-shadowed by the greater things that attracted the eyes of the world upon Appomattox.

The same day that Lee laid down his arms, Steele stormed the almost impregnable defenses of Blakely, capturing General Cockrell and his entire command and opened the gates of Mobile to the Union troops. There were a few unimportant skirmishes after this, but the storming of Blakely was the last real battle of the war.

The 34th Iowa, under Gen. G. W. Clark, had been recruited up to nearly its maximum strength of a thousand men, and when it sprung from the trenches and started towards the enemy's lines it looked like a full brigade in comparison with the depleted ranks of most of the other regiments at that period of the war.

General Steele after issuing orders fixing the time of the movement went into the trenches with this regiment, and when the charge commenced he drew his sword and leaped over the protecting earth-works as nimbly as he had once done at Chapultepec, and rushing forward and with his staff entered the enemy's defenses under a heavy fire. The scene was an inspiring one.

"Twere worth ten years of peaceful life,
One glance at their array."

The whole line from Hawkins' Negro troops on the right to Garrard's line on the left swept splendidly forward under the eye of their commanding General.

There were many Iowa troops in these advancing lines, and the men who had captured Spanish Fort the night before were coming forward as reinforcements in time to see the brilliant, though deadly spectacle, and loudly cheered

their comrades. Steele's old regiment, the 8th Iowa, had the night before effected a lodgment in the rebel lines at Spanish Fort which led to the capture of that stronghold, and it so happened that though so long separated, by different routes the regiment and its first Colonel here met again. They had not met since Vicksburg and Jackson. Together they saw the war end at Blakely a few hours after Lee stacked his arms at Appomattox.

When General Andrew Jackson marched against the Indians from Pensacola, his troops were required to wade at high tide along the shore of the bay. Tradition says that they stripped for that part of their march, carrying their clothing, arms and supplies on their shoulders and heads. Steele's march out of Pensacola was over the same route, and as Hawkins' division of negro troops reached that part of their journey, they followed Jackson's example and there was probably no more droll or amusing spectacle during the war than this division of several thousand men with their black skins glistening in the sun, as they marched along the overflowed road. Steele was highly amused, but he appreciated these new allies fully and afterwards watched their gallant conduct while for seven days they were under the hottest fire during the siege—for their part of our line was the special object of attack and was peppered with an incessant hail of shot and shell. These negro troops did not share in Horace Greeley's idea that Steele was hostile to the colored race.

I recall an incident illustrating the desire of the negroes to communicate with him in person. On April 2, 1865, the army of General Steele encountered the troops of the enemy who were watching for him in his approach upon Blakely. The night before at Stockton I remember that two negro refugees were brought to my tent by the pickets. They told me that they must see "de ginerall hisself," and I could not induce them to tell anything to a mere Assistant Adjutant General of the staff. It was two o'clock in the morning but I went to the General's tent and called him out. He came to the tent door and asked the "contrabands" what they

wanted. He did not look like a General as he stood there thinly clad at the foot of his cot, at the tent door. One of them said: "Is you de ginerel?" General Steele assured them that he was indeed General Steele and again asked them what they wanted. "Well," the negro replied, "we done just come to tell you that we was hyah."

The 8th Iowa Infantry was a model regiment. General Steele was succeeded by Col. James L. Geddes, an excellent disciplinarian and one of the finest soldiers and expert drill masters of the war. The regiment unfortunately was surrounded and captured with Prentiss at Shiloh, and served a long and perilous confinement in the prisons of the South. After their exchange they were again recruited and re-organized and became famous for their perfection of drill and the beauty and accuracy of their evolutions.

When Steele was sent to command the forces on the Rio Grande in June, 1865, he had a delicate international question on his hands. Maximilian and Juarez were engaged in the great contest which was to decide between imperialism and republicanism in Mexico, and Steele gave all the moral and material aid to the republican cause that he could without involving this country in an open rupture with France and the Mexican imperialists. His instructions from Sheridan July 13, 1865, said:

Don't come to any actual hostilities, but annoy these people (I mean the Franco-Mexicans). They are not our friends and their present manner and past conduct in their dealings and assistance to the rebels is and has been infamous.

But Grant with a quaint humor, in an earlier autograph letter, May 21, 1865, gave Steele the cue to his purposes in sending him to the Rio Grande with a great army of forty thousand men.

MAY 21, '65.

We will have to observe a strict neutrality toward Mexico in the *French and English sense of the word*.

Your own good sense and knowledge of international law and experience of the policy pursued *toward us* in this war teaches you what will be proper.

Steele took the hint and furnished guns and ammunition to the Juarist General Cortina.

General Steele was a man of striking individuality. He was very social and kept in stock a fund of stories in which he rivaled Lincoln himself. He was small, spare built, wiry, withy and enduring. His eyes were grey and had a snappy way about them that puzzled a stranger. His hair and beard were grizzly. His voice was very peculiar and its shrill, sharp notes always attracted the attention of any one who met him for the first time.

He was a confirmed bachelor, and having no immediate family ties lavished a good deal of his affection on his fine horses and dogs throughout his long camp life. He was a superb horseman, and one of his greatest bereavements in the Mobile campaign was when his splendid black Morgan horse "Sigel" broke away from the orderly who was leading him and ran straight into the enemy's lines.

He was best liked by those who knew him best.

Steele was something of a wag in his private relations and was always ready with repartee. His service in Mexico in the inconspicuous position of a brevet Second Lieutenant, did not give him much acquaintance in the army there. Hardee, who was afterwards a confederate General and the author of "Hardee's Tactics," was higher in rank and generally known. But at "Thornton's Field" Hardee was innocent and unfortunate enough to take his company of cavalry into a small field and there go into camp without tearing down the rail fences. A superior body of Mexican cavalry came upon him unexpectedly and "corraled" his company before they could throw down the fences and escape. In a hotel at New Orleans on the return of the army Steele was dining alone, when Hardee and several other officers took seats near by at the table and commenced to talk of Mexico. After the conversation had proceeded for a time Steele joined in and said that he too had been in Mexico.

"What is your name?" said Hardee. Steele modestly gave his name, when Hardee blurted out: "I never heard

of you in Mexico." "I have heard of you, sir," Steele pleasantly replied.

"Indeed, and where was that," said Hardee. "At Thornton's Field," said Steele, and the silence in the dining-room was profound for a few minutes until Hardee got up and went away.

His death from apoplexy at San Mateo, California, was sudden and painless.

He was about forty-nine years of age and had received his final discharge from the volunteer service only about eight months before. Iowa during the war was too young to have many sons born upon her own soil, for her Statehood had only existed fifteen years when the war began, but her sons by adoption took a foremost part in that contest and among them she has especial cause to be proud of the career of Major-General Steele.

A BIOGRAPHER should be a judge, not an attorney for the defence. He should weigh all the evidence for and against his subject, and deliver a verdict which takes into consideration all phases of character. If it be "guilty," the verdict should be couched in such terms that the reader becomes aware of the commendable characteristics of the person condemned as well as the traits which lead to the condemnation. If the verdict be "not guilty," the weakness of character should be presented side by side with the virtues.—*The Chap-Book*, April 1, 1898.

ATTENTION! MUSCATENIANS!—Bloomington is no more—the name has been obliterated, and the beautiful and unique name of Muscatine, has been ushered in its place; and we think there ought to be some demonstration of our approbation, made on this occasion. Who seconds the motion? Who?—*Muscatine Journal*, June 9, 1849.



very respectfully

Samuel W. Durham

HON. SAMUEL W. DURHAM, OF MARION, IOWA.
Early U. S. Government Surveyor in Iowa, a pioneer settler of Linn county, and
member of the Constitutional Convention of 1844,

ANOTHER CHAPTER OF PIONEER HISTORY.

BY SAMUEL W. DURHAM.

The perusal of Governor Carpenter's chapter of pioneer history, in the January ANNALS, recalled to memory some of the experiences of the writer while exploring and surveying portions of northwestern Iowa during the summer of 1855, while he was similarly engaged on the east branch of the Des Moines in Kossuth and Emmet counties. The chapter relates to the experiences of a United States deputy surveyor, and may not be interesting to the general public, but to one used to such business it is.

I was acquainted with most of the surveyors who did much work for the general government. The Surveyor General's office being located at Dubuque drew most of them there for headquarters. Among them I may mention Henry A. Wiltse, chief clerk for General G. W. Jones; — Burt, son of the inventor of Burt's Solar Compass; James M. Marsh, who ran the correction line across the west part of the State between townships 88 and 89 to the Missouri river; Isaac N. Higbee, afterwards chief clerk in the Surveyor General's office at Yankton; John Ball, who was said to be capable of running more miles in a day and eating more beans than any one else, and was afterwards county surveyor of Black Hawk county; Alexander Anderson, who was much in demand in a large part of Iowa and Wisconsin, and who helped me out with a survey at Lake Pepin and the mouth of the Chippewa river under contract from Surveyor General Caleb H. Booth; John Everett, noted for making witness corners on the banks of small marshes and streams; William I. Anderson, the confidential friend of Surveyor General Lewis, and who was afterwards county surveyor of Dubuque county; Thomas J. Stone, who made his debut in this State as a government surveyor, afterwards county surveyor of Linn county, and later famous as a

banker in Sioux City; William J. Neely, inspector for the Surveyor General, who, when he lived here after leaving Dubuque was my nearest neighbor. The latter afterwards removed to California and died at Los Angeles.

My work in Northwestern Iowa, west of Cerro Gordo and Hancock counties, embraced the west fourth of Buena Vista county, the east half of Cherokee and parts of Ida and O'Brien counties, under contract from Surveyor General Warner Lewis. I started for the work the latter part of May, stopping at Fort Dodge to buy supplies of William Greene and A. M. Dawley, and of Maj. Williams, paying *seven* dollars per hundred for flour, *one* dollar a bushel for corn, \$1.75 for spades, and other things in proportion. We crossed the Des Moines river at Fort Dodge and ascended the Lizzard Fork. We camped at the head of Twin Lakes in Calhoun county. Here we met some hunters returning from Wall Lake in Sac county. They had several young elk fawns and a cow to give milk for them. During the night a heavy May storm of thunder and lightning, rain and wind, continued for several hours. The hunters, who were sleeping in their wagons, got afraid that the iron about the wagon would attract the lightning. They left it and crowded in with us for safety. After while our tent cords gave way and let it down on and over us. We could not set it up again in such a storm, so we laid there till daylight, when we crawled out as bedraggled and uncomfortable a set as ever I saw—with a chilling northwest wind blowing over our quarters.

We crossed the Raccoon Fork of the Des Moines at Leonard and Joel Austin's, who, with William Legorgue and their families, were the only settlers I saw in that part of Sac county. From there we made the first wagon trail towards Sioux City. Four horses, two wagons and all the footmen made it plain, and we cut down the bank in steep places. When we came back in August, our trail had become a plain wagon road, and a county seat had been located near Austin's, and surveyed by John F. Duncombe, as the stakes and a tall flag pole showed, having been done on the

Fourth of July. The district was a very fine one for surveying, having no marshes and but little timber or brush, so that with two companies we got along very fast and very nicely, too. We all had good health and no accidents, except that one of my men was bitten by a rattle-snake and I was knocked down in a thunder-storm by lightning. Sometimes to insure uniformity in course and length of lines, I departed from the usual custom and ran a line through the center of the township, and adjusted the differences proportionately on a straight line throughout the six miles. Once during a blinding, drenching rain storm, I took refuge in General Smith's tent on the south bank of Storm Lake and shared his hospitality over night. He was a Dubuque surveyor and a very courteous gentleman. He had the next contract east of mine, embracing Storm Lake and the central part of Buena Vista county. I also visited Capt. John Parker, another Dubuquer, in his camp on the Little Sioux river. He was a very fine old gentleman, much trusted at the Surveyor General's office. He was engaged in running the township lines upon which I was closing my subdivisions.

There was not then a white settler in Buena Vista, Cherokee or O'Brien counties. We met one trapper on Maple river or creek, like Daniel Boone, away from his fellows. Our men gave him the name of the Hairy Man. He was the only white man we saw in the district and I fancied that he looked like De Foe's Robinson Crusoe. We saw a great many elk and Indians, and caught one young elk and three deer fawns, some of which I brought home to Marion. We witnessed and participated in a chase and slaughter of a noble elk buck, from which the slayer, a finely mounted Kansas Sioux as he called himself, furnished us as much fresh venison as we could use in the warm weather. As to the chase, when the elk began to show evident signs of exhaustion, after a long run, the hunter made a rapid flank movement around a small hill which caused the animal to slacken his speed, so that both got to the end of the hill at once, when the hunter sprang off his horse and letting him stand

free, raised his rifle and fired as soon as it got to a level with his eye. It was a disabling shot but did not bring the elk down. The hunter very deliberately reloaded his rifle and mounted his waiting steed, and we all continued the chase till he got another shot which was effective. Then the two hunters went to work skinning and cutting up the carcass, and they were just as neat about it as trained butchers.

We saw another party of them catching beaver out of their subterranean dens, using a hook fastened to a long handle. We did not desire to partake of any of the meat. They ate any animal from an elk down to badgers. A kind of wild potatoe grew on the prairie which they dug with a wooden bar or pole, like a crow-bar. They cooked and ate it as we do potatoes.

One day while we were constructing a section corner, we saw a company of Sioux approaching us on a full run in single file. They never slackened their speed till they were almost on us. Then they dismounted, letting their horses go loose. They wanted to interview us and were anxious to find out what we were doing, and about our teepee, whiskey, etc. When that was over they all crowded around the surveying instrument with guns in hand. The magnetic attraction kept the needle vibrating, which interested them but delayed our work. I pointed towards the place of the North Star and told them our course was that way. At last my axman took hold of a gun and shoved it away, whereupon the owner raised it and made a hostile demonstration, but upon being assured that no insult was intended, became pacified. Then we started our line and they rode off.

Wahcoota, a Minnesota Sioux, visited our camp. He was very pacific, but some of his young squaws, in a playful mood, plagued our two young camp-keepers considerably.

I will give one day's experience with the Dakota Sioux, as more noticable than others. We were camped at the great bend of the Little Sioux, near the mouth of Waterman Creek, and wishing to communicate with Capt. Parker, I left camp accompanied by Dr. Joseph Winans, my Assistant Surveyor, late of Center Point. When about four or five miles out,

near the line of Clay and O'Brien counties, we saw a long line of Sioux in the distance, moving westward towards the Big Sioux river, in single file, which at first I thought to be Parker's Company. As soon as they sighted us, they changed their course and the whole body, men, women, children and dogs, came towards us just as fast as their horses could be urged, or the footmen run—the light-mounted ones reaching us ahead of the footmen and squaws, with their ponies drawing the teepee poles lashed to their sides. As soon as they came up, they dismounted and paying no more attention to their horses, exchanged the usual salutation of "How, How." This proved to be Inkpadutah with about one hundred of his immediate band, the same no doubt that Gov. Carpenter had met a few days before at Armstrong's Grove. They had always held supreme dominion over these vast prairies. They wanted to hold a pow-wow, and urged me to get off of my horse and sit down in the grass. But not feeling in a diplomatic mood, and my knowledge of their language being confined to but few words, I declined, feeling a little suspicious, too, that one of them might jump on my horse and ride off. They wanted to know who we were, and our business, where the teepee was, if we had whiskey, tobacco, &c. On my part, I inquired if they had seen any surveying companies, but gave them an evasive answer as to where my camp was. I found them more willing to ask than to impart information. Much of our talk was by signs. When the conference was over and I was about starting, the Chief selected two of his footmen to go with us. He had them discharge their rifles before leaving. I set off in a different direction from the right course, but the fellows kept right up with us, in fact they could have outrun our jaded horses. When we reached the camp, the cook had a first-rate Sunday dinner ready, consisting of Sioux river fish, salt pork and beans, hot biscuits and molasses, dried apple sauce and coffee. My Indian guests had a cordial invitation to dine with us. After that I took special pains to let them know we had no whiskey. There was a jug of molasses setting in the back part of the tent, and I saw one of them kept eyeing

that. To dispel any doubt he might have on that point, I took up the jug and went to hold it to his nose to smell of. He threw back his head and opened his mouth to take down the whiskey. I stuck my finger in the molasses and showed him "no whiskey." They could all say "whiskey." That was the last I saw of that band, but it seems that two years later they turned up at Spirit Lake.

Since that time, northwestern Iowa has wonderfully changed. The Sioux Indians have gone, and comfortable farm houses stand in place of the teepees. The wild animals have disappeared and lowing herds of cattle have stamped out the wild grass. The hunter is displaced by the plowman. The report of the deadly rifle is succeeded by the clanging dinner bell, calling weary laborers to bountiful repasts. The solitude of the unbroken prairies is broken by the noise of the reaper and threshing machine. The single narrow trail of the buffalo and Sioux Indian is replaced by the wagon-road and railway; and the dome and steeples of a magnificent State Institution, for the mentally unfortunate, loom above the hills of the Little Sioux river.

But one who trod the first paths and set the first landmarks, can scarcely repress a sigh at remembrance of the grandeur and sublimity of the scenery when viewed in its native solitude.

The blue haze in the distance beyond the river, settling around the groves and other guiding points, obscured and mystified their distant forms and gave a charming solemnity to the view. So is the hoped-for final state beyond, covered behind a hazy veil which no one has lifted.

Truly did the poet sing of "the charms," seen by sages in the face of "solitude," and of a life "with a chosen band" in a frontier land, as against one who "loved to roam o'er the bright sea foam."



THE FIRST SCHOOL HOUSE IN IOWA.

Erected at Nashville (now Galland) in Lee county, in 1830. Reference is made to this edifice by Prof. Parvin, p. 449,

THE EARLY SCHOOLS AND TEACHERS OF IOWA.

BY T. S. PARVIN, LL. D.

Every now and then a new error comes to the front in the newspapers of the day: First one and then another claims to have "taught the first school in Iowa," or erected "the first school house." Having thoroughly investigated this matter I have from time to time corrected these errors until I have abandoned the hope of keeping the newspaper press correct upon the subject.

In the ANNALS OF IOWA, Vol. 3, No. 1, April, 1897, under the heading "Notable Deaths," I find an editorial, evidently based upon a newspaper article first appearing in *The Fairfield Ledger*, a few weeks later repeated in *The Burlington Hawkeye* and other papers of the State. The paragraph reads:

Susan Smith Russell, the first woman teacher in Iowa, and an old pioneer of Jefferson, died at that place Feb. 22, 1897. In 1837 she came to old Fort Des Moines and began teaching in the barracks; this was one year after the territory of Wisconsin had been taken from Michigan territory. While still engaged in this work Iowa was made a separate territory (July 4, 1838) and consequently Mrs. Russell had the honor of being its first woman teacher.

Finding so grave an error in a leading historical magazine of the State I at the time called the editor's attention to the incorrectness of the statement, which was overlooked, however, in the subsequent numbers as issued.

It is not too late to correct an error, as one of these days some one will be re-writing—I say re-writing because *I have written*—the history of "early education in Iowa," and will naturally turn to THE ANNALS AND HISTORICAL RECORD as affording the best evidence from which to write such history.

In the winter of 1888-89 I wrote and published my "History of the Early Schools and Education in Iowa, 1830-59," and in the preparation of this work I made a thorough study and examination into all the evidence accessible at that time, (and I may here add none has become accessible since to

even enlarge upon the subject then discussed), and published not only the facts but the authorities upon which my statements were based. The matter has not lost any of its interest during the seven or eight years that have elapsed since the publication of that volume, and I may briefly quote some paragraphs from that history and so be able to refute the statement quoted and give honor to whom honor is due.

There was a lady teacher who taught school for some two quarters or more, three years preceding Mrs. Russell's coming to Iowa, and so of course antedates her in her profession. I quote the following paragraph from my history:

"Mrs. Rebecca Palmer, the first lady teacher in Iowa, opened her school in Ft. Madison, Lee County, in the summer of 1834." In another paragraph entitled "First Things," arranged according to date, I find this entry: "1834, September—First lady teacher, Mrs. Rebecca Palmer, Ft. Madison."

This was while the Iowa District west of the Mississippi river, with Wisconsin, constituted a part of the Territory of Michigan; Wisconsin was organized as a territory in 1836; Iowa in 1838.

The information upon which I based these statements I obtained from the County History of Lee County, and from personal letters from Captains Washington Galland, who served during the Rebellion, and J. W. Campbell, who was Captain of one of the leading packets upon the Mississippi river running from Keokuk to Rock Island—both of them then and now citizens of Lee County—both of them having located with their parents in that county as early as the fall of 1830, and both pupils in *that* first school taught by Berryman Jennings.

Since that time I have received some very strong and conclusive evidence upon the subject—a letter from L. D. Palmer, from which I quote:

VERMILLION, SOUTH DAKOTA, May 25, 1897.

DEAR BRO. PARVIN:—My son Mark M. handed me the *Des Moines Saturday Review* containing your article "Pioneer School Days Prior to 1840," and I find your notice of "Bro. Berryman Jennings as the first school

master of Iowa, winter of 1830, at Nashville, Lee Co., Territory of Iowa, and also of *Mrs. Rebecca Palmer as the first female teacher* at or near Ft. Madison in the fall of 1834." You say "you were personally acquainted with Bro. Berryman Jennings, but was not with Mrs. Palmer."

I wish to inform you that Jennings and Mr. Doolittle, my wife's father, were brothers-in-law, by marriage to sisters Caroline and Massy White, and my first marriage occurred at Berryman Jennings' residence in Burlington, Iowa, March 5, 1845, the very day Polk was inaugurated President of the United States.

Mrs. Rebecca Palmer was my mother and we lived on a farm one and a half miles east of Ft. Madison on the stage road to Burlington. At this time, I remember the period, she kept school (1834-5) going to the school house one and a half miles north-east, through the winds and snow, and wearing rubber boots in the spring to get through to the school house. I was then thirteen years old and it was our first winter in Iowa on the "Black Hawk Purchase." I was well acquainted with the chief and his successor, Keokuk, appointed by the Government. I had a good opinion of Black Hawk and remember that he had a head like Gen. Zachary Taylor's, and it was generally understood that neither ever knew when they were defeated. I did not wonder that Taylor beat Santa Anna at Buena Vista, Mexico, which carried his nomination and election as President in 1848.

A word as to the writer of the letter from which the above is quoted: I first became acquainted with Mr. Palmer in 1846, the year Iowa became a state; he was then a prominent merchant in the city of Ft. Madison. Soon after, during the forties, he removed to Muscatine, where I was then residing, and further engaged in the mercantile business, which he continued for many years, when later he removed to Yankton, Dakota, where he again established himself as a dry goods merchant. Mr. Palmer was a prominent politician, business man and Mason, having served his fellow-citizens as postmaster at Yankton, Dakota, during the Cleveland administration. He only died last year (October, 1897).

This tells conclusively the facts, that—Mrs. Russell *was not* "the first woman teacher in Iowa," by nearly three years; and further that Mrs. Rebecca Palmer was not only her predecessor, but *was* "the first lady teacher in Iowa," dating back to the period when it was a constituent part of Michigan territory. Iowa was a part of Wisconsin territory when Mrs. Russell taught her school; and she was not even the

second school teacher of her sex, as others too had preceded her.

As my History is not accessible to the general and teaching public I may quote a few other passages: I stated that "Berryman Jennings taught the first school (within what are the present territorial limits of Iowa) during the months of October, November and December, 1830, at what is now known as Nashville, Lee Co." From a letter received from Berryman Jennings, whom I personally knew, (he having been made a Mason in my old Lodge, No. 1, at Burlington,) dated Oregon City, Oregon, November 28, 1884, he wrote:

DEAR SIR AND BROTHER:—I was residing on the "Half Breed Tract" now part of Lee County, in 1830. Dr. Isaac Galland (father of Washington Galland) an eminent physician and citizen resided six or eight miles above the present site of Keokuk, on the Mississippi river, near where resided several American citizens who had children of a school age. The Doctor prevailed upon me to teach a three month's school. Dr. Galland furnished rooms, fuel, furniture, and board in his family. This school room was like all other buildings in that new country, a log cabin built of round logs, or poles, notched close and mudded for comfort, logs cut out for doors and windows, and also for fire-places. The jamb back of the fire-places was of packed dry dirt, the chimney topped out with sticks and mud. This cabin like all others of that day was covered with clap-boards. This was to economize time and nails, which were scarce and far between. There were no stoves in those days and the fire-place was used for cooking as well as comfort.

The entire letter is full of interesting historical items, but is too long for publication in this connection.

In the preparation of my History I published chapters from time to time in the newspapers inviting criticisms and corrections and so learned through the Burlington papers that a Mr. I. K. Robinson of Mendota, Illinois, claimed the honor of having taught the first school in Iowa, whereupon I wrote him and received a letter in reply from which I make some extracts:

MENDOTA, ILL., Jan. 30, 1887.

DEAR SIR AND BROTHER:—(he too a Mason) In answer to your letter of inquiry of the 17th inst., about "the early schools of Iowa," I reply: I commenced teaching a school December 1, 1830, (this was two months later than Mr. Jennings commenced his school) in the employment of a Mr. Stillwell, who was then owner of a warehouse and wood-yard at the present

site of Keokuk, Iowa. The school was continued sometime into the spring of 1831.

He then further adds: "*If* there were any schools in Iowa previous to this one, I do not know where or by whom taught."

It seems a little singular that there should have been two schools in Iowa during that month of December, and both of them in the County of Lee, and within less than ten miles of each other, and yet neither teacher knowing of the other or of his work.

With some of Mr. Robinson's pupils who afterwards became prominent citizens of Keokuk, I was personally acquainted, and from them received verifications of the statement made in this letter. So far as I know all of the pupils of Mr. Robinson are now deceased and only two of those who were pupils of Mr. Jennings are living, Captains Washington Galland and J. W. Campbell of Lee county.

Recently I received from Capt. Galland a good photograph from a sketch made from memory by himself of *that school house*, which I forwarded to the editor of THE ANNALS and which will no doubt appear in an early number.

Setting aside this first school house referred to by Hon. Berryman Jennings, as having been used also for dwelling purposes, the first school house *proper* (also a log building) was erected in December, 1833, at Burlington, by Dr. W. R. Ross, who was the first postmaster of that city and the second, I believe, in Iowa—his predecessor in point of time, though at another place, being Mr. Prentiss.

RAILROAD IRON FOR IOWA.—The ships Edward Wyman and Wm. Nelson have arrived at New Orleans from England with cargoes of Railroad Iron for the Keokuk and Ft. Des Moines Railroad. The Directors and Managers of the Railroad deserve credit for their business tact, indomitable perseverance and success in providing the means to secure its construction. What an advantage it is to a Railroad, as it is to every enterprise, to be directed by men of business capacity!—*Dubuque Herald*, July 18, 1860.

DR. SYLVESTER GRINNELL MATSON.

BY CHARLES ALDRICH.

(A paper read before the Pioneer Law-Makers' Association, February 1, 1898.)

Mr. President, and Gentlemen of the Pioneer Law-Makers' Association: It is a sad duty which has devolved upon me to announce the death of one of our oldest and most distinguished associates, the Honorable Sylvester Grinnell Matson, which occurred at the residence of his son-in-law, the Rev. Dr. S. N. Fellows, at Fayette, Iowa, on the 5th instant. Had Dr. Matson lived until the 5th of March he would have seen his 90th birthday. In writing me Dr. Fellows enclosed the following obituary which I will read:

Sylvester G. Matson, M. D., was born in Middletown, Vermont, March 5th, 1808, and died in Fayette, Iowa, February 5th, 1898. His early life was spent amid the hardships of New England. He had meager opportunities for securing an education, but by hard labor and close private study, he became qualified to teach school, and by teaching earned means to prosecute his studies in the Medical Department of the University of Vermont. From this he graduated with high honors in 1832. He then returned to Middletown, Vermont, and soon after removed to Van Buren near Syracuse, New York. He also practiced a few years in Chenango county, New York. Here he was frequently called to deliver addresses on the Fourth of July and other public occasions, and received from the general public and the press very high encomiums. In 1845 he removed with his family to Iowa and settled near Anamosa, in Jones county, and at a later period removed to Viola, Linn county, where the latter years of his life were spent.

In 1846, he was a member of the Constitutional Convention which framed the first constitution of the State of Iowa. He was also elected a member of the First General Assembly of the State, which met at Iowa City November 30, 1846, and in extra session January 3d, 1848. Failing by one vote of being elected speaker of the House, he became chairman of the committee on schools and took a leading part in enacting the first school laws of the State. He also prepared and introduced the bill locating the State University at Iowa City, and was afterwards a member of its first board of trustees. He was thus associated with Senators James Harlan, A. C. Dodge and G. W. Jones, and Governors Briggs, Hempstead and Grimes in laying the foundations of this great State. Dr. Matson was



Truly Yours -

S. G. Matson -

DR. SYLVESTER G. MATSON.

Pioneer Iowa Physician, member of the Constitutional Convention of 1846, and
Representative in the first General Assembly.

proud of Iowa, of her history and institutions, and of the great and noble men with whom he was associated in the first years of her Statehood.

Dr. Matson was humane, patriotic and religious. He was the friend of the poor and no one in need was ever turned empty from his door. In private life he was remarkably temperate in his habits, using neither tea, coffee, tobacco nor intoxicating drinks; and in public and professional life was a strong advocate of free schools, total abstinence, prohibition of the liquor traffic, and the organized charities of the State.

In politics, he was originally a "Jeffersonian Democrat." He united with the Republican party at its organization and voted for John C. Fremont for president in 1856. He continued an ardent Republican, casting his last presidential vote for William McKinley in 1896.

In appreciation of his services rendered the State, by request, a life-size oil painting of Dr. Matson was secured and placed in the Historical Department of the Capitol at Des Moines.

Dr. Matson was a member of the Methodist Episcopal church and a firm believer in the Lord Jesus Christ. In his last long and tedious illness of over fourteen months, he was ever calm, patient and trustful—thankful for all the little kindnesses shown to him, and frequently expressed a desire to join the many friends in heaven.

He leaves an aged and invalid wife residing in Viola, Iowa, and three children, viz: Benjamin L. Matson, a lumber merchant of Anamosa, Iowa; Sarah L., wife of Rev. S. N. Fellows, D. D., of Fayette, Iowa, and Catherine L., wife of Prof. Goodyear, of Chicago, Illinois.

Dr. Matson died at the home of his daughter, Mrs. Dr. S. N. Fellows, in Fayette, Iowa. The body was buried in the family lot in Riverside cemetery at Anamosa.

I feel that an appreciative and grateful word is due from the Historical Department to the memory of this excellent man. From the time of its organization in 1892, until the decrepitude of age settled upon him, no man in Iowa, within the scope of his means and opportunities, labored more earnestly than Dr. Matson to lay its foundations and promote its growth and usefulness. He became at once a collector of historical and biographical data, war relics, objects in natural history, geological, mineralogical and botanical specimens, anything and everything in short, which could add to its usefulness or make it an attractive place for visitors. If there was an item in his own or any of the surrounding counties which I desired to add to our collections, I had but to mention it to him and straightway he set about obtaining it. The Department is indebted to him for scores of valuable items. Among these, as of most value, are copies of our

early laws, legislative journals, and the Journal of the Constitutional Convention of 1846—all long ago out of print and now scarce and almost impossible to obtain. When all of his contributions—many of which are very precious—are duly labelled and placed in appropriate cases, they will constitute a monument which will keep his memory green for many generations. As stated in the obituary notice which I have read, the Historical Department is the owner of a fine oil portrait of this distinguished pioneer law-maker.

Dr. Matson was a man widely known and respected for his great kindness and benevolence. I was his guest at his home in Viola, Linn County, some years ago. He was still practicing medicine, though he was nearly or quite eighty-five years of age. Sometime after dark a boy called to ask him to go and see his little sister who was quite ill. The house where he was wanted was several blocks distant, and Mrs. Matson protested against his going out at that time of night. She suggested that they employ a younger physician. "Oh, no," he replied, "I have doctored in that family for twenty-five years, and they think that no one else can do them any good. I will go!" And the aged man lit his lantern and started out to visit the sick child. I was glad on his return to hear his report that the child was by no means dangerously ill. Soon after I made his acquaintance—in 1892 or '93—he sent the Historical Department his pill-bags and outfit of dental and surgical instruments, some of which were quite antiquated. Among them was one of those primitive "turnkeys" for pulling teeth. With power enough at the handle, it would come very near extracting a hickory stump. But every country physician in the days of my boyhood carried and often used one of these queer instruments. I suspect that away back in the fifties or forties some of those now present knew how these old "turnkeys" were operated. I had kept these articles a few months when the Doctor wrote me that he was having quite a run of practice and wished I would return his dental and surgical instruments—but that they should ultimately come back. Of course I forwarded them to him promptly. He kept them a couple of years and

sent them again in a quaint little wooden trunk, where they will be safely retained until the State provides a fit place for this novel exhibition.

During his whole life Dr. Matson bore the reputation of a good and useful man. He was a hard worker in his laborious profession, especially during his early years in Iowa, when the country physician had to ride long distances and face the terrible Arctic blizzards, often at the peril of his own life. As a legislator he achieved a reputation which will survive as long as the annals of early Iowa interest our people. As has been seen, he was one of the founders of our State University, and always a friend of the cause of education. He was a man of wide and versatile information, broad and generous sympathies, genial and kind in his intercourse with all, honest and just, respected and beloved throughout the circle of his acquaintance, in the best sense of the words, an old-time Christian gentleman.

“His youth was innocent; his riper age
Marked with some act of goodness every day;
And watched by eyes that loved him, calm and sage,
Faded his last declining years away.
Cheerful he gave his being up, and went
To share the holy rest that waits a life well spent.

“That life was happy; every day he gave
Thanks for the fair existence that was his;
For a sick fancy made him not her slave,
To mock him with her phantom miseries.
No chronic tortures racked his aged limb,
For luxury and sloth had nourished none for him.

“And I am glad that he has lived thus long,
And glad that he has gone to his reward;
Nor can I deem that nature did him wrong,
Softly to disengage the vital cord.
For when his hand grew palsied, and his eye
Dark with the mists of age, it was his time to die.”

THE CASE OF MR. LORIN(G) WHEELER.

HIS APPOINTMENT AND RESIGNATION AS CHIEF JUSTICE OF THE
COUNTY COURT OF DUBUQUE.

BY BENJAMIN F. SHAMBAUGH, PH. D.

Generally speaking changes in political thought outrun changes in law. For the law is inherently static, rigid, conservative. Statutes or parts of statutes frequently retain a legal status long after they have ceased to be followed in the actual administration of government. In other words, the *laws* of administration do not always tally with the *facts* of administration: and the student of Politics must everywhere supplement materials taken from statute books with materials gathered from observations of governmental operations. In the world of political phenomena we are not yet done with "fictions."

The case of Mr. Lorin(g) Wheeler, an inhabitant of the original county of Dubuque, is an illustration of the above truths drawn from the early history of Iowa.

The original county of Dubuque was established in 1834 by an act of the Legislative Council of the Territory of Michigan. In accordance with this act it became the duty of the Governor of the Territory of Michigan to appoint and commission certain local officers for the said county of Dubuque—the power to appoint and commission the important local officers being at that time vested in the Governor by the acts of Congress and of the Legislative Council of the Territory. It was not until some time after this that these local offices were made elective.

In 1834, then, the *law* declared that such officers as Justices of the Peace and Justices of the County Court should be appointed by the Governor by and with the advice and consent of the Legislative Council, and the same were to be commissioned by the Governor. But as a matter of *fact* the

people of Dubuque county took a hand in the selection of local magistrates. Indeed, they practically dictated the selection of such magistrates. This is clearly illustrated in the following material which is here published for the first time.

DECEMBER 26, 1834:—On this day the following appointments were made by and with the advice and consent of the Legislative Council, viz:

*	*	*	*	*	*	*	*	*
Lorin Wheeler, Chief Justice, Dubuque.*								
*	*	*	*	*	*	*	*	*

DUBUQUE APRIL 20TH 1835.

SIR In consequence of the dissatisfaction which seems to exist in reference to my being appointed Chief Justice for this co. I now tender You my resignation which I hope You will be pleased to accept. My reason for doing this is to quiet the minds of a few who think that the Executive has not power to make appointments without this approbation.

Yours Respectfully

To his Excellency S. T. MASON.

L. WHEELER.

DUBUQUE APRIL 8 1835.

To his Excellency the acting Governor of Michigan Territory:

At a meeting of the citizens of Dubuque County & Town aforesaid, for the purpose of nominating a suitable person for the office of Chief Justice of the County, aforesaid to fill the Vacancy occasioned by the resignation of Mr. Loring Wheeler the following proceedings were entered into Mr. Woodbury Massey was called to the chair & Wm Myers, appointed Secretary, the Object of the Meeting having been explained from the Chair. Mr. John King was unanimously nominated to fill said office. On Motion M. H. Prentice was appointed to draft a petition to your Excellency in favor of such nomination.

W. MASSEY

WILLIAM MYERS
Secty

Ch'm

DUBUQUE APRIL 8. 1835.

To his Excellency the Gov'r of the Territory of Michigan.

Whereas the office of Chief Justice of the County Court of Dubuque County, has become vacant by the resignation of Lorin Wheeler Esq. Now therefore, we the undersigned, citizens of the County aforesaid, do hereby earnestly recommend to your Excellency our worthy fellow citizen, John King Esq., as a suitable person & well qualified to discharge the duties of said office, and as in duty bound your Petitioners will ever pray, &c.

MILO. H. PRENTICE

[and 112 others.]

*Taken from "Record of Acts and Proceedings of the Executive Department of Michigan Territory," Executive Journal, Vol. II., Book No. 251, pp. 116, 117.

DUBUQUES MINES May 25, 1835.

To His Excellency the Gov'r of the Territory of Michigan

SIR Be pleased to permit the undersigned to say a few words in relation to the appointment of Chief Justice of our County Court. Your Excellency will probably recollect that, the first appointment made to that office, was not accepted by him, whom the People had nominated & your Ex'cy appointed, to-wit. Thos. McKight Esq. Subsequently, under the impression that civil law could not go into operation without the existence of that officer, the people assembled again to nominate another person to fill said office—whereupon Mr John King was, with the exception of 2 or 3 persons present, unanimously nominated to your Excellency for that office. In order that there should be as little delay as possible in the organization of civil gov't, here, the proceedings of the meeting were sent by express, in advance of the mail, to Galena to be mailed there, as in so doing 2 or 3 days would be gained in the time of their reaching your Exc'ly. The next news in reference to the subject, was, the appointment of Mr Lorin Wheeler to fill said office—it does not become us to say anything in relation to the politics or private character of Mr Wheeler, but this much we do say, that he is *not* the choice of the people, for that office—During the week of our Court the People held another public meeting on the subject, & waited upon Mr Wheeler to know his intentions in relation to his holding on to the commission—He said he should resign & told the people to go on and make another nomination & his resignation should accompany the nomination to the Gov'r Accordingly the meeting proceeded to nominate a person to fill the vacancy occasioned by Mr. Wheeler's resignation, (the proceedings of which meeting accompany this) but the Resignation does not but we are assured by Mr Wheeler that he has sent it on some time ago—the Proceedings of our meeting have been kept back in waiting for the promised resignation to accompany them—in conclusion we would say, that we have no personal enmity to Mr Wheeler & inasmuch as the people have honored us with their confidence, (of which we are proud) we deem it a duty we owe to ourselves as well as to our fellow citizens, under present circumstances, to make a few plain statements of facts in the case & cordially & earnestly unite with our fellow citizens in the renomination of Mr John King to the office of Chief Justice of the County Court of Dubuque County—We have the

Honour to be

Your Excellency's Ob't

and humble Servants.

MILO H. PRENTICE	} Associate Justices of Dubuque County.
HOSEA. T CAMP	

The foregoing letters are exact copies from the originals as preserved in the office of the Secretary of State, Lansing, Michigan. They illustrate the fact that in appointing the local officers for the counties west of the Miss-

issippi, the Governor of the Territory of Michigan simply confirmed the extra-legal nominations made by the people. For the records show that on the 20th day of June, 1835, Mr. John King was appointed "Chief Justice of the County Court" of Dubuque.

THAT KEOKUCK [so spelled at that time] will at no very distant day be a place of considerable commercial and shipping business there can be no doubt. It has advantages of navigation which no other town in Illinois or Iowa above it and on the river possesses. Almost invariably the navigation is open here a month or six weeks longer each year than it is above the rapids. In consequence of which goods, merchandise, &c., shipped late in the season at St. Louis, for the upper country have generally to be unshipped here; and thence carried to their place of destination by wagons. And frequently during the summer months, the water becomes so low on the rapids, that vessels are necessarily compelled here to unload, [and] re-load, as the case may require, to lighten them, and enable them to pass over the rapids in their respective voyages. But perhaps the greatest advantage Keokuck has of the river towns above is the opportunity to ship produce, from that point to a southern market at the earliest time of the season. It contains at present perhaps 200 inhabitants, and all it yet wants to secure a rapid influx of population and growth in commercial importance is the final settlement of the Half Breed Land Title on which it is located.—*Fort Madison Courier*, Dec. 4, 1841.

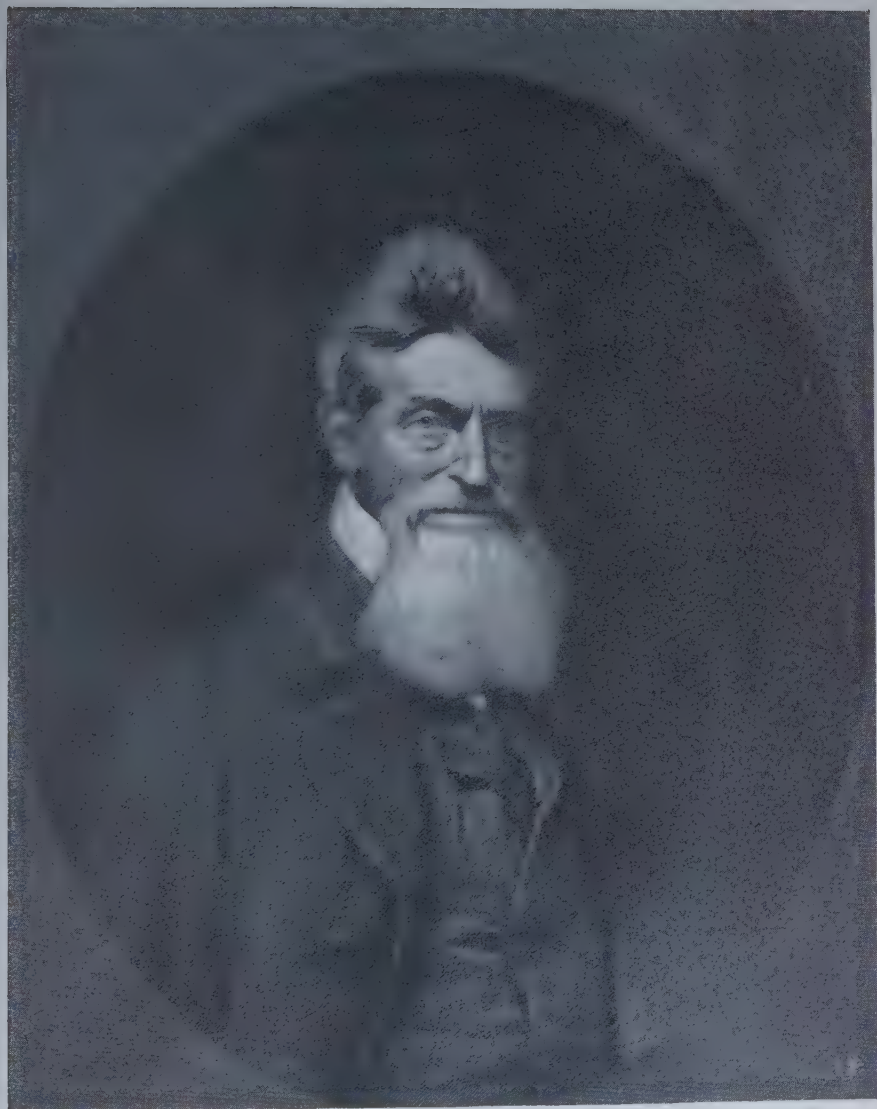
ANOTHER COMPANY OF VOLUNTEERS.—Gov. Clarke, in compliance with an order from the President, has authorized Gen. James M. Morgan, of Burlington, to enlist a company of volunteers, who are to be stationed at Fort Atkinson, in place of the U. S. Dragoons, who have been ordered South. The volunteers are to remain in the service twelve months, unless sooner discharged.—*Bloomington Herald*, July 3, 1846.

JOHN BROWN'S LAST VISIT TO TABOR.

BY PROF. J. E. TODD.

In reading recently Hon. I. B. Richman's interesting historical sketch entitled "John Brown among the Quakers," I came across a passage in which he refers to John Brown's last visit to Tabor, Iowa. He says: "The story of Brown's raid into Missouri, after his return to Kansas in 1858, is well known. Suffice it to say, that on this raid he took from their owners a dozen slaves with whom, aided by Kagi and Stephens, amid great peril he made good his escape into Nebraska, and thence to Tabor, Iowa. Here, contrary to his expectation and contrary to the whole former attitude of the people, he was not welcomed, but, at a public meeting called for the purpose, severely reprimanded as a disturber of the peace and safety of the village."

The writer, having been a resident of Tabor at that time and present at the public meeting referred to, would offer the following correction which it seems to him ought to be made. The history of this visit is as follows: He is guided not only by his memory, but by the statements of his father, Rev. John Todd, in his "Reminiscences" which he printed a few years since, and which have been in that way submitted to the criticism of many who were familiar with the occurrences of that time. I first quote from these reminiscences: "Captain Brown with his company of eleven slaves arrived safely in Tabor with their escort in February, 1859. They came the latter part of the week and remained several days. A school-house was placed at their disposal during their stay. On the Sabbath following I was handed a paper to be read from the pulpit, saying—John Brown respectfully requested the church of Tabor to offer public thanksgiving to God on behalf of himself and his rescued captives, in particular for his gracious preservation of their lives and health and his signal deliverance of all out of the hand of the



OLD JOHN BROWN.

wicked heretofore. 'Oh, give thanks unto the Lord for He is good, for His mercy endureth forever.'" My father being called away by an appointment before the end of the Sabbath, was unable to be present at the public meeting which was appointed for the next day. The interest was so great in the community that at the time appointed the house was filled.

John Brown arrived promptly on time and had just begun to tell his story when a stranger came in, and John Brown quietly remarked that he was informed that one had just entered whom he would rather should not hear what he had to say; and he would, therefore, respectfully request him to withdraw. This man was a Dr. Brown of St. Joseph, Missouri, as I understand, a specialist who was treating some cases in town. He had heard the notice given upon the Sabbath and had arranged his work so as to be present. It was understood that he was a slave-holder, or at least a strong pro-slavery man; and therefore a knowledge by him of John Brown's movements might have been prejudicial to the interests of the latter. Scarcely had John Brown made the request before one of the leading citizens of the place, who was unaccustomed to such stern measures, sprang to his feet and said that he hoped that nothing would be said there which all might not hear. John Brown very quietly remarked that if that man remained, he had nothing more to say, and soon after withdrew from the meeting. It was reported later that soon after he met some of his men and said they had better look to their arms, for they were not among friends yet. The withdrawal of John Brown did not break up the meeting. Very few withdrew. His men, several of whom were known by citizens of the place, remained; and several hours were spent in the discussion of the slavery question and what should be done for the slaves. In this Dr. Brown, from St. Joseph, took an active part. He had at his tongue's end "Cursed be Canaan" and other passages from scripture used by the slave-holders to justify their position.

On the other hand, Brown's men were equally ready with

quotations from scripture as well as in arguments, and the occasion was a most interesting one. Incidentally, the main features of the story of John Brown's raid into Missouri and the rescue of the slaves at the cost of the life of one of the masters was brought out. I do not remember that any formal action was taken by the meeting, but the sentiments expressed by the prominent citizens of Tabor, both at the meeting and elsewhere, were simply in harmony with the position that they had always taken. As abolitionists they had frequently been charged with kidnapping negroes and helping them on to the Canadian border. This was explained by some of their enemies to be in order to obtain a premium, which they supposed Queen Victoria offered for every slave.

This ignorant suspicion had always been met by a denial of any attempt to take slaves from their masters, that they were law abiding citizens and would seek to overthrow slavery only by legal and legitimate means. They did not approve the action of John Brown in taking slaves from their masters by force or in an illegal and disorderly way. But instead of its being contrary to the whole former attitude of the people, I think any candid judge would say that it was the only consistent and honorable position for them to take under the circumstances.

John Brown was welcomed and treated kindly in every way as his stay of nearly a week at that place abundantly testified. The position taken by the citizens of Tabor at that time, was, I think, not different from that taken by the great majority of anti-slavery citizens of the United States throughout the land. There is little doubt that John Brown was much disappointed that the citizens of Tabor did not fully commend his step, but I do not know that he had any good reason for being disappointed.

We have referred to this stay at Tabor as his last visit, but his absolutely last appearance, which was only for a few hours, was about the first of September, 1859, less than two months before his capture at Harper's Ferry. He came to the residence of Mr. Jonas Jones on the Sabbath, where he stopped. When taking leave on the same day, he said in an

impressive way, "Good-bye, Mr. Jones. I do not say where I am going, but you will hear from me. There has been enough said about leaving Kansas. I intend to make a bloody spot at another point, and carry the war into Africa." The outbreak at Harper's Ferry leaves no explanation necessary.

VERMILLION, S. D., Jan. 15, 1898.

NAVIGATION OF CEDAR RIVER.—From an advertisement in another column, it will be seen that *The Maid of Iowa*, will ascend the Cedar river as far as Washington Ferry, leaving Burlington on the 15th inst., which will afford our farmers convenient to that stream an excellent opportunity for shipping whatever of surplus produce they may have on hand. Within the last few days she has made one trip between that point and Nauvoo, laden with produce, and we learn that she passed Overman's a day or two since, on her second trip. She has, so far, we understand, met with no serious obstacles to the successful navigation of that river. Should the stage of that river, in subsequent seasons prove as favorable as the past and present, it will be of incalculable advantage to a large district of as fine farming country as is to be found in any part of the west.—*Bloomington Herald*, August 2, 1844.

THE GREAT BEAUTY OF LOCATION and surrounding scenery at Iowa City, are not the only favors bestowed upon it by nature, as is every day becoming more evident. When we read the account of the arrival there of the first steamer, we thought some mysterious spirit had been hovering over that city, and inspired the pen of him whose good fortune it was to first proclaim to the world the navigation of Iowa river, and we are now confirmed in the opinion that there is a mysterious something thereabouts, which inspires those whom it pleases, with thoughts beautiful, sublime beyond conception.—*Bloomington Herald*, August 2, 1844.

DARWIN ROBERT MERRITT.

BY JUDGE H. E. DEEMER.

"A plain, blunt man." Such were the characteristics given to the subject of this sketch in the class book of the Annapolis Naval Academy, issued during the year of his graduation. This homely, direct phrase quite accurately describes some of the most noticeable traits of that promising young engineer, Darwin Robert Merritt, who so recently found a watery grave while on duty upon the U. S. S. Maine in Havana Harbor.

April 12th, 1872, and February 15th, 1898. These two dates fix the limits of his earthly existence; and yet crowded within this brief span is a record of which all Iowans are proud. Born in Red Oak, of sturdy, reliable, intelligent New England parents, he early gave evidence of integrity of purpose and great strength of character, somewhat unusual in these days of nervous excitement and intense mental activity. He was one of those rare young men, whose blithe and youthful personality promised the strength and maturity of coming years. His father is one of the well-known and much honored pioneers of the State—having held many offices of position and trust. His uncle, sometime Consul General at London, is a conspicuous figure in the politics of New York. But it is of the son, and of his characteristics that I would write. Raised upon a farm, educated in the common schools, and trained by watchful, tender hearts and hands, he was quite ready both physically and intellectually to enter the Naval Academy at Annapolis at the beginning of the school year in 1891. His appointment came through the recommendation of Ex-Congressman Thomas Bowman of Council Bluffs.

Of splendid physique, dauntless courage and noble bearing, he was soon a favorite with his fellows. He was active in all athletic pursuits, attentive to his books, circumspect in



D. R. Merritt.

DARWIN ROBERT MERRITT.

Engineer on the U. S. Warship Maine which was blown up in the harbor of Havana,
Cuba, Feb. 15, 1898, where he perished at his post of duty.

his conduct, and at graduation stood third in a class of eighty-four. Finishing at Annapolis in 1895, he went upon the usual two years cruise, and finally graduated with high honors in July, 1897. During these two years he was assigned to duty upon both the "Amphitrite" and the "Indiana;" and was designated by the government to estimate the speed and horse-power of the last named battleship upon her final trial. He was with the "Indiana" fourteen months and is very highly spoken of by her Commander, Capt. R. D. Evans. Leaving this vessel he spent a few months at the Brooklyn navy yard, and after a short furlough at home, during the latter part of the summer of 1897, (which was his last visit) was assigned to duty upon the ill-fated "Maine." His actual service was short but is highly commended by the Navy Department at Washington.

One of the officers under whom he served thus spoke: "I would rather have Merritt on board and in charge of my engines than all the rest of the engineer officers combined." Another officer said: "We unanimously voted him the perfect shipmate. He was sweet-tempered, unselfish and thoughtful of others. Above all he was a man, in every sense of the word." Chaplain Chidwick of the "Maine" said: "Your boy was a noble son. . . . He was a great favorite with his fellow officers, and I can assure you his conduct was without reproach."

Naturally quiet and reserved, his naval training made him self-possessed, reflective, almost stoical. Meeting him you were immediately impressed with the presence of large reserve power, perfect self-control, and singular mental calmness. He was indeed an ideal soldier.

The exact manner of his going is not known nor has his body been recovered. That he was at his post of duty, and bravely responded to the call, is all that is certainly known.

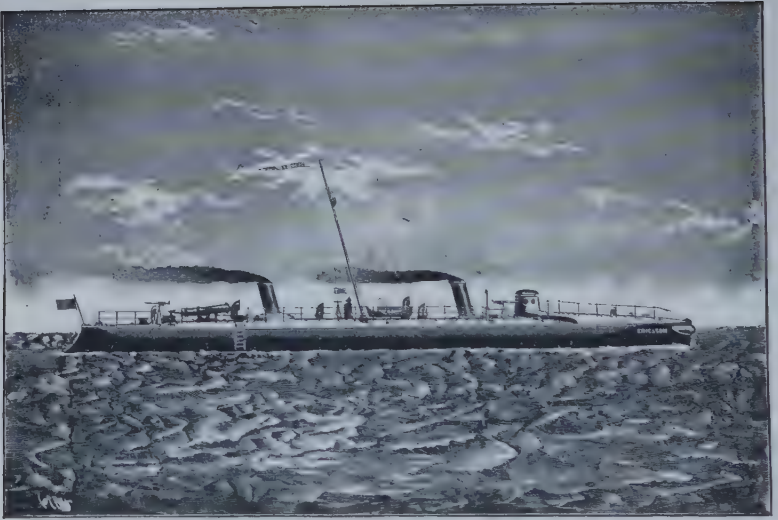
He died for his country's honor, and for her flag as truly as those who have perished upon her battle-fields; and when the Memorial month of May rolls around, and all nature is reminding us of our obligations to the patriotic dead,

the people will remember with flowers and tears the unmarked grave of this Martyr of the Maine.

Darwin R. Merritt is Iowa's first contribution to the defense of American citizenship upon Cuban soil, and to final intervention in an unrighteous and cruel war.

JUDGE JOSEPH WILLIAMS, OF IOWA.—This gentleman, distinguished for great versatility of talent, paraded with the volunteers of Bloomington, Iowa, and marched at the head, playing the fife. The Judge is a perfect specimen of a happy man. He is a devout member of the Methodist Church, and attends scrupulously to his religious duties. He is, also, one of the best temperance lecturers we ever heard; Judge of the 2d District, Iowa; Associate Judge of the Supreme Court; a fine poet; a superior musician; fifer for the Texas volunteers; the tallest kind of a companion we ever met at the social board;—and he tells the best story of any humorist of the day. “Alas! poor Yorick.”—*St. Louis Organ*, June 8, 1846.

IMPORTANT MAIL IMPROVEMENT.—By a letter from the Post Office Department to the Hon. A. C. Dodge, in reply to an application made by him on the 23d of February last, we learn that the Post Master General has directed the local agent of the Department at Saint Louis, to engage the transportation of the mail by steamboats, twice a week from Saint Louis to Keokuck, Iowa, commencing as soon as practicable, and to continue for five months, at which time it will be discontinued, unless it shall yield at least the expenditure involved in the improvement. By this arrangement the Eastern and Southern mails will reach Iowa from three to five days earlier than at present.—*Bloomington Herald*, May 5, 1843.



THE TORPEDO BOAT "ERICSSON" AT SEA.

This vessel was built at Dubuque, and launched May 12, 1894. This cut, by kind permission of Johnson Brigham, is copied from *The Midland Monthly*.

ANNALS OF IOWA.

EDITORIAL DEPARTMENT.

COL. WILLIAM T. SHAW.

In another place we present an article by this illustrious Iowa soldier, in which he corrects sundry errors in the official reports of the Red River Expedition of 1864, under Maj. Gen. N. P. Banks. This article is supplemented by one from the pen of Capt. Charles T. Granger, (now a distinguished judge of the Supreme Court), who acted in that affair as his Assistant Adjutant General. Col. Shaw commanded the 2d brigade, 3d division, 16th Army Corps, which bore the brunt of that disastrous engagement. The full and impartial history of that curious and most futile expedition is yet to be written. That the official reports are very faulty is fully shown by the statements of Col. Shaw and Capt. Granger. The subject is a large one, out of which books will grow in future years. The articles which we herewith present fully show that there are two sides to the story. It is apparent from the meager reports, that generals sought to cover themselves with glory who never reported a man killed or wounded, while Col. Shaw lost in killed and wounded, fully a third of his command. Three of his regiments of infantry came from Iowa—the 14th, 27th and 32d—and when the lists of casualties were published there was deep mourning in many communities. Col. Shaw was indignant at the confused blundering which characterized the entire movement up Red River—the needless sacrifice of valuable lives—and wrote a letter of bitter denunciation of Gen. Banks and some of his generals, which appeared in the newspapers. For this, without a hearing, he was dishonorably dismissed from the military service. Later, upon a representation of the facts, this order of dismissal was revoked by the Secretary

of War, and he was "honorably discharged from the service of the United States, to date Nov. 16, 1864, the date of muster-out of his regiment." This order was a cutting rebuke to those who had brought about his dismissal, though their reports went into the government archives and appear printed at length in the War Records. It is to set aside some of the more important errors in these reports that Messrs. Shaw and Granger place on record their clear recollections of the events in question. Their statements will be implicitly believed by all Iowans. We also copy a letter to *The Des Moines Register*, written soon after the battle by the late Capt. T. C. McCall, afterwards a distinguished Iowa legislator. It fully corroborates the statements of Col. Shaw.

William T. Shaw was born in Steuben, Maine, September 22, 1822. His grandfather was Francis Shaw, Jr., a Major in the Massachusetts service, who was sent to the eastern part of the province of Maine as general agent to keep the Indians friendly in that sparsely settled country. His great uncle, Major Samuel Shaw, was also Assistant Secretary of War under Gen. Henry Knox, and afterwards first Consul to China. The subject of this sketch was educated in the common schools and at the seminary at Readfield, Maine. Coming west at the age of 19, he lived for a time in Indiana, where he became a teacher in a private school. Removing to Kentucky in 1842, he remained there until the outbreak of the Mexican war. He enlisted in the 2d Kentucky Infantry, and was appointed corporal and afterwards sergeant. William R. McKee and Henry Clay, Jr., Colonel and Lieut.-Colonel of this regiment, were both killed in the battle of Buena Vista. When Clay fell, mortally wounded, the first one to go to his aid was Capt. George W. Cutter, afterwards famous as the author of "The Song of Steam," a poem which was much quoted 45 years ago. In response to an order, Sergt. Shaw sent Corporal Robert Baker and Private Wood Herenden, of Co. C, to carry Col. Clay to a place of safety. He saw no more of Clay until the next morning, when he went over the field with a detail to look after the dead and wounded of his regiment. He found Clay and Baker dead, and Her-

enden mortally wounded, lying near together in a ravine. The deaths of Clay and McKee occasioned the profoundest regret throughout the Union. When they fell, the regiment was left without a field officer, the Major being absent at the time of the battle.

Returning from the war Shaw strayed into Arkansas and the Indian territory, finding his way some months later to California where he engaged in mining until 1851, when he came to Iowa. He returned in 1852 to California, coming back, however, to Anamosa in 1854, which was thenceforward his permanent home. He was commissioned Colonel of the 14th Iowa Infantry in 1861, serving three years, participating in the battles of Donelson, Shiloh, Pleasant Hill, Yellow Bayou, and many affairs of lesser note. When he finally retired from the army in 1864, Maj. Gen. A. J. Smith paid him the highest compliments for his "courage, patriotism and skill," during the fifteen months that he had commanded a post, brigade and division in the 16th army corps. The officers of his division made him a present of a beautiful sword, which has been deposited in the Historical Department of Iowa. He was a cousin of the father of Col. Robert G. Shaw, who was killed at the battle of Fort Wagner, South Carolina. Col. Shaw served in the 16th General Assembly as a member of the House from Jones County.

As an officer, Col. Shaw was one of the "bravest of the brave," and the idol of his men. He was a warm-hearted, impulsive man, kindly disposed toward everybody, honest and fair in all things, a lover of justice, but given to the use of very energetic language whenever his indignation was aroused. It is mildly stating the case to say that the old soldier "swore terribly"—and does still. But he stood by his men, protecting them from the greed of suttlers, and every other species of injustice. To the humblest and most unknown private he was always accessible, and always ready to redress his wrongs or share his hardships. He broke up the saloons at one of his posts, heavily fining their proprietors who disregarded his orders not to sell intoxicating liquors to "my men," and disbursed the fines collected for the relief

of Union refugees who had come thither for protection. Wherever "red tape" interfered with efficiency or the prompt discharge of duties, he disregarded it wholly, finding his justification in the unquestioned merit of his transactions. He fairly won promotion by skill and bravery in battle, and the only reason why it was not awarded to him was his lack of deference to mediocrities in high places.

THE VALUE OF NEWSPAPER FILES.

Since the Historical Department was organized in 1892 the writer has occasionally had to defend the effort to accumulate and preserve files of Iowa newspapers. Several good people have expressed fears that these papers would so accumulate as to become a great burden. This is doubtless true, unless adequate space and cases are provided for them. But since the Hon. George E. Roberts, Director of the United States Mint, compiled in the summer of 1896 a great statistical and historical pamphlet—the demand for which reached 160,000 copies—from these newspaper files, there has been less objection to them. It has curiously happened that some of the gentlemen who have most seriously inveighed against this branch of the State Historical Collections have come to the rooms day after day to consult files of newspapers! On such occasions—their eyes having been pried open—they have indulged in complaints that Iowa has not had more of these resources of historical information. It would have been so convenient to find what they especially wanted!

But reference to examples in other communities and countries may serve to justify the very limited work which has been done in this State as well as to smooth the way for its enlargement. Wisconsin and Kansas are striving to secure files of all the newspapers, periodicals, books and pamphlets published within their borders. This fact the writer has often printed in these pages and elsewhere. But just now we have read something of this branch of historical collecting as carried on in the British Museum under the

wise direction of Dr. Richard Garnett, C. B., one of the greatest living specialists in bibliography and library building. Dr. Garnett was lately interviewed and what he said is published in the *London Bookman* for March. In the matter of newspapers here is what Dr. Garnett said:

What to do with the newspapers is still a serious problem. We tried the expedient of tying them up in bundles, but that did not answer, and we have had to revert to the system of binding them.

In view of the vast number of these publications it seems almost beyond belief that it is still found practicable to preserve in the library of the British Museum every book, pamphlet, periodical and newspaper published in the United Kingdom, saying nothing of hundreds or thousands from abroad. But says Dr. Garnett:

We have destroyed a considerable number of imperfect duplicates, and given away a large number of valuable ones, *but at least one copy of everything that issues from the press is kept. Every provincial newspaper will be worth five hundred times its present value five hundred years hence.*

The italics are ours.

"THE SONG OF IOWA."

The following poem which is sung to the air "Der Tannenbaum"* ("My Maryland"), was written in 1897 by Major S. H. M. Byers of Des Moines, author of the well known war-time song, "Sherman's March to the Sea." It requires time to settle the fact whether such a song possesses the mysterious elements of permanence—whether it shall be accepted by the people as the highest expression of their tastes and patriotic feeling. Upon this we cannot venture a prediction. Suffice it to say, that its reception thus far has been most cordial. It is sung in hundreds of schools and drawing-rooms throughout the State, and has been repeated at public meetings and other occasions times innumerable. The author may be heartily congratulated upon its general acceptance up to this time. He may also indulge a very rea-

*"Der Tannenbaum," the old air to which this song is sung, was a popular German students' song as early as 1819. It had been a Volks song long before that, even. During our Civil War, the Southerners adapted it to the song, "My Maryland."

sonable hope that it is one of those things which his State
 "will not willingly let die."

I.

You ask what land I love the best,
 Iowa, 't is Iowa.
 The fairest State of all the west.
 Iowa, O! Iowa.
 From yonder Mississippi's stream
 To where Missouri's waters gleam,
 O! fair it is as poet's dream,
 Iowa, our Iowa.

II.

See yonder fields of tasselled corn,
 Iowa, in Iowa.
 Where plenty fills her golden horn,
 Iowa, in Iowa.
 See how her wondrous prairies shine
 To yonder sunset's purpling line,
 O! happy land, O! land of mine,
 Iowa, O! Iowa.

III.

And she has maids whose laughing eyes,
 Iowa, O! Iowa,
 To him who loves were Paradise,
 Iowa, O! Iowa.
 O! happiest fate that e'er was known,
 Such eyes to shine for one alone,
 To call such beauty all his own,
 Iowa, O! Iowa.

IV.

Go read the story of thy past,
 Iowa, O! Iowa.
 What glorious deeds, what fame thou hast!
 Iowa, O! Iowa.
 So long as time's great cycle runs,
 Or nations weep their fallen ones,
 Thou 'lt not forget thy patriot sons,
 Iowa, O! Iowa.

PROFESSOR JESSE MACY's article which is printed in this issue of THE ANNALS will be found very interesting and valuable to all who desire information relating to the early history of our State. It appeared some years ago in "The Johns Hopkins University Studies in Historical and Political Science," and is copied here by the kind permission of the editor of those publications as well as of Prof. Macy. Very few copies have hitherto been circulated in Iowa, but it will now go to our public libraries, where it will at all times be accessible to readers and students.

FORT CROGHAN.

In April, 1842, while the Pottawattamie Indians were located in what is now the eastern portions of Pottawattamie county, it was thought necessary to send up the Missouri river a detachment of troops for their protection. Capt. John H. K. Burgwin therefore arrived on a steamer from Fort Leavenworth, with a company of U. S. troops, and established the post on the edge of the timber at Section 10, near the present southwest corner of the city of Council Bluffs. This he first named "Camp Fenwick," but afterwards changed it to "Fort Croghan." There has been some dispute about the location, but "there is certain evidence," says Hon. D. C. Bloomer, "that it stood at the point mentioned." The troops stayed there during the remainder of 1842, and until the spring of 1843, when a great flood covered the Missouri bottoms, compelling the command to remove to a temporary location on the western side of Little Mosquito creek, on high grounds occupied by Mr. J. P. Casady in later years for farming purposes. Here they remained until the water, which covered the entire valley, subsided, when they returned to the fort. In September following, the presence of the troops being no longer deemed necessary for the protection of the Indians, the company, still under the command of Capt. Burgwin, returned to Fort Leavenworth, and Fort Croghan was abandoned never again to be occupied. For the above information we are indebted to Hon. D. C. Bloomer of Council Bluffs.

Capt. Burgwin saw some years of arduous service in the region now within the boundaries of this State. He graduated from West Point Military Academy in 1830, No. 28 in a class of forty-two, and was at once appointed brevet 2d Lieutenant in the 2d Infantry. Three years later he was transferred to the 1st Dragoons, serving (1834-6) at old Fort Des Moines, near Montrose, Iowa. He was absent awhile on recruiting service, but returned to his post in 1837. He was promoted to a captaincy during the latter year. His service was mainly in the West. In 1846-7 he participated

in the war with Mexico, and while gallantly leading the storming party and skillfully directing the attack on Pueblo-de-Taos, New Mexico, February 4, 1847, fell mortally wounded. He died on the 7th.

THE IOWA HISTORICAL BUILDING.

It seems to be as fixed as fate that projects of this character shall "drag their slow length along" through many years before they crystalize into success. In one way or another difficulties almost always arise which require time and patience to surmount. As this is the usual course, situations must be accepted and no complaints made. The 26th General Assembly appropriated the sum of \$25,000 for the purchase of a site and the procurement of plans for this purpose, but as nothing farther could be done by the terms of the statute, it was decided to await the action of the extra session of the same body, when provision was made for the construction of a wing of the future great building. But by reason of an unlucky amendment which was thrown in at too late a moment to secure its proper consideration, the law limited the entire cost of the building to this inadequate sum. A site on the east front of the capitol, on the south corner of Capitol avenue and Eleventh street, was, however, purchased by the Executive Council for the sum of \$4,300, and plans for the building were also secured; but as the appropriation was so limited the matter was again referred to the legislature. Upon the earnest recommendations of Governors Drake and Shaw the matter was taken up in the regular session of the 27th General Assembly. The sum of \$30,000 was added to the appropriation, and at the same time it was decided to abandon the site which had been selected and secure a new one. Another law also authorized the sale for \$15,000 of the building and lots formerly occupied by the Adjutant General's office, on Locust street, on the west side of the river, which amount the Executive Council is authorized to use in the purchase of a new site.



THE PROPOSED IOWA HISTORICAL BUILDING.

This is the present status of the project. No further steps had been taken up to the time of writing this article (April 7, 1898) since the adjournment of the legislature. A cut of the proposed edifice is herewith presented, for which we are indebted to the courtesy of Mr. J. E. Clarey, editor of *Illustrated Iowa*. It is the expectation of the Executive Council to procure another site and proceed with the erection of the building at an early day.

HON. THEODORE S. PARVIN of Cedar Rapids has spent the past winter in Mexico, where one of his sons has resided for several years. This distinguished gentleman—the Nestor of Iowa librarians and collectors—was born in Cedarville, New Jersey, January 15, 1817, and has, therefore, entered upon his 82d year. He came to Iowa in 1838 and began his active public life as private secretary to Gen. Robert Lucas, our first Territorial Governor. His labors as Territorial Librarian, as a leader in founding the State University, and as the originator of the great Masonic Library at Cedar Rapids, are too well known to require mention here. His life has been one of the highest usefulness. “He has done the State some service and they know it.” In his advanced age he is a worker still. That he may soon return to his active duties at Cedar Rapids in improved health, is the earnest hope of his troops of friends throughout the Union.

A RARE IOWA BOOK.

We find in *The Quarterly Bulletin of the Iowa Masonic Library* at Cedar Rapids, a most interesting account of what is fittingly characterized as “one of the rarest little volumes in existence.” We copy the title in full:

Notes on the Wisconsin Territory particularly with reference to the Iowa District, or Black Hawk Purchase. By Lieutenant Albert M. Lea, United States Dragoons. With the act for establishing the Territorial Government of Wisconsin, and an accurate map of the District. Philadelphia: H. S. Tanner—Shakespeare Building, 1836.

The author of this book graduated from West Point

Military Academy, fifth in the class of 1831. Among his classmates were Samuel R. Curtis and Thomas J. McKean, who settled in this State when they retired from the regular army, and afterwards rose to distinction in the war of the rebellion. Several of the class became soldiers of national reputation, as Henry Clay, Jr., (killed at Buena Vista), A. A. Humphreys, W. H. Emory, Bradford R. Alden, and others. Albert M. Lea entered the army as brevet second lieutenant in 1831, and was appointed second lieutenant in the 1st dragoons in 1833. This regiment was then on frontier duty at Fort Des Moines (No. 1), near the present village of Montrose. Resigning in 1836, he served as a civil engineer on various public works, and as a commissioner in settling the boundary between Iowa and Missouri in 1838. He was Brig. General in the Iowa Militia in 1840. The book in question was "a very complete report of his surveys in Wisconsin Territory." Of this three advance copies were mailed to him, and the rest of the edition shipped to him at his western home. The steamboat which conveyed these books was wrecked and sunk in the Ohio river, not another copy being saved. It was never reprinted and the three copies mentioned are all that are in existence. One is in the Parvin Masonic Library at Cedar Rapids, one in the State Library, at St. Paul, and the third is owned in Faribault, Minnesota. The author was a Tennessean and joined the confederate army. He died at Corsicana, Texas, three or four years ago. He was well known in Iowa during our Territorial days, and a lake in Minnesota bears his name.

On the 11th of April, 1898, too late for Chief Justice Deemer to incorporate a mention of the fact in his appreciative tribute (pp. 462, 464) to Darwin Robert Merritt, lost on the U. S. S. *Maine*, memorial exercises were held in Red Oak, Iowa, the place of Merritt's birth, where his parents still reside. Ex-Congressman Thomas Bowman, who appointed young Merritt to the Naval Academy, was present, and addresses were made by the Chief Justice, by Rev. E. C. Moulton and Hon. Smith McPherson. The G. A. R. Post attended in a body as did the local militia company.

NOTABLE DEATHS.

DENNIS B. DAILEY was born in Galway county, Ireland, in 1840; he died at Council Bluffs March 25, 1898. He came to this country with his parents at the age of six years, and was educated at Antioch College, Ohio. At the outbreak of the civil war in 1861, he enlisted as a private in the 2d Wisconsin Infantry. His promotion was immediate and rapid, based upon his high soldierly qualities. He participated in all the noted battles fought by the army of the Potomac. At Gettysburg he was in the charge of the Iron Brigade against the confederate line and received the surrender of the Confederate General Archer whose sword he retained until the time of his death. Before the battle closed he was severely wounded and fell into the hands of the enemy, but succeeded in escaping and rejoined his command a few days later. At the battle of Weldon Road, August 21, 1864, while serving with the rank of Captain on Gen. Cutler's staff, he was dangerously wounded by the Confederate General Hagood, who commanded a brigade in Mahone's division. Capt. Dailey had made a dash to secure the colors of one of the enemy's regiments, and at the time of being shot was holding the confederate colors and flag. This incident has been characterized as "the bravest act of the war," and as such it is mentioned in Beauregard's "Military Operations of the War," and is also described in Swinton's "Army of the Potomac." It has also been made the subject of a stirring poem called "The Charge of Hagood's Brigade." Some time after the war it was his fortune accidentally to meet the Confederate General Hagood, by whom he was so severely wounded upon the occasion referred to. They were naturally pleased to meet each other in friendship so long after the "cruel war was over." Each had found "a foeman worthy of his steel" in the heat of a closely contested battle where every moment was full of imminent peril. Returning from the war, Col. Dailey made his home in Council Bluffs in 1867, and resided there until his death. He was appointed by the Governor to the office of District Attorney, the duties of which he performed with marked ability. He became distinguished as a criminal lawyer. Upon the occasion of his death many tributes of respect were paid to his memory by the newspapers and courts at Council Bluffs, the Grand Army of the Republic and the Episcopal church. Many of his old companions in arms were present at his funeral.

"The bravest act of the war" is thus described in the "Military Operations of General Beauregard," Vol. II, pp. 272-3:

"It was during this attempt to regain the use of the Weldon Road that, on the 21st of August, General Hagood, of South Carolina, distinguished himself in a personal encounter with a Federal officer.

"Owing to inaccurate reports of his scouts General A. P. Hill, who commanded the Confederate forces against Warren's expedition, mistook the exact position of the enemy's line on the left, and, through General Mahone, who labored under the same error, Hagood's brigade was ordered to press the rear and flank of the Federals. He was to be supported by five brigades of Mahone's division, supposed to be already in front. The brigade drove the skirmishers from their rifle-pits, but found itself in presence of 'a strongly intrenched line, crowded with men and artillery, extending right and left as far as could be seen.' The five brigades of General Mahone were not there. General Hagood saw at once how perilous a strait he was in, and used his utmost endeavors to halt his command; but the men, 'intent on carrying the position before them, neither heard nor heeded his voice,' and had actually reached the parapets of the works before they understood what overwhelming disaster threatened them. The situation was nearly desperate, all the more that a flanking column had now been sent behind the brigade, with the evident purpose of cutting off its retreat. At this moment a Federal officer, Captain Dailey, of General Cutler's staff, boldly rode forward and seized a regimental flag of the brigade. Seeing this, General Hagood, then on foot, came up as fast as he could, and, calling upon his men to fall back, demanded the immediate return of the colors. Upon the officer's refusal to comply—there being no time for parley—General Hagood shot him through the body, and 'as he reeled from the saddle upon one side sprang into it from the other, Orderly Stoney seizing the flag from his falling hands.' Instantly facing about, the South Carolina brigade, under the lead of its intrepid commander, charged and easily dispersed the

Federal line in its rear, and, regardless of the severe fire poured upon it from the enemy's works, made good its retreat, though with heavy loss, to the shelter of the valley.

"General Beauregard spoke in high terms of the coolness and daring of General Hagood upon this occasion, and strongly recommended him for promotion—which he most assuredly deserved."

CHARLES L. DAVIDSON was born at Mt. Vernon, Ohio, in 1846; he died at his residence in Hull, Iowa, March 15, 1898. He came of a patriotic ancestry, his great grandfather having been in the U. S. naval and his father in the land service. Charles was left motherless in early youth and was reared in the family of Mr. John Robertson. He came to this State at the age of 14, living first in Louisa and afterward in Washington county. In 1862, when but 16 years of age, he enlisted in Co. A, 25th Iowa Infantry, serving three years and participating in many battles. He was wounded at Chickasaw Bayou, from the effects of which he never recovered. After the war he attended school for some time, finishing with a law course at the N. W. University, Chicago, from which he graduated in 1878. He located in Sioux county, Iowa, in 1879, engaging in the real estate business, in which he was very successful. In 1894 he was elected a member of the board of railroad commissioners, where his services had met with hearty approval. He had also served as a member of the board of commissioners for the Soldiers' Home at Marshalltown, and was in 1891 commander of the G. A. R., Department of Iowa. Mr. Davidson was one of the founders and promoters of the Hull Academy, an institution in which he took great pride and which had made excellent progress. Always the sympathizing friend of the old soldiers, he had secured pensions through his own personal efforts, amounting to \$30,000. A brave soldier when the country needed his services at the front, a kind-hearted and genial christian gentleman, an abiding, steadfast friend, his sudden death was widely deplored.

DR. WILLIAM P. ALLEN was born in Kentucky in 1824; he died at Dubuque, Iowa, March 22, 1898. He came to Dubuque in 1844 and soon went to Galena, remaining until 1846, when he returned to Dubuque where he resided until his death. He engaged in the drug business in 1852, in which he remained continuously in the same block until January 1, 1897, when he retired. He was one of the best known and most highly esteemed business men in that city, but it was especially in Masonic circles that he attained his widest acquaintance. In June, 1886, he was elected Grand Master of the Grand Lodge of the State, filling the office with distinguished credit. He had been for years a favorite with the Masonic fraternity of Iowa on account of his perfection in the lectures and other secret work of the order. He was especially beloved and honored by the Masons of Dubuque. He was a plain and unpretending man, much given to the exercise of charity, though his benevolent acts were known to but few. Upon the occasion of his death eloquent tributes were paid to his memory by Dr. Edward A. Gilbert and the Rev. Dr. Arnold Shanklin, and his funeral was one of the largest ever held in Dubuque.

MRS. MARY ANN BOOTH was born in Canaan, New Hampshire, February 23, 1817; she died at Anamosa, January 25, 1898. She was educated at the Institution for the Deaf and Dumb at Hartford, Connecticut, where she spent five years. Her husband, Edmund Booth, was then a teacher in the Institution. They were married in 1840 and a few years later settled in Anamosa, where he became the editor of *The Eureka*, now one of the oldest newspapers in Iowa. She was one of the charter members of the Congregational church of that city, which was organized in 1846, and held uninterrupted membership in it for more than fifty-one years. "Though shut out from hearing the gospel and the voice of song, . . . until failing health prevented her she was always present to participate with

her brothers and sisters in the joy and comfort of each recurring communion season." Mr. Thomas E. Booth, now, and for a long time past, the editor and publisher of *The Eureka*, was her eldest son. A loving tribute was paid to the memory of this pioneer mother in *The Eureka* of February 3, 1898.

MRS. MINNIE THERESE HATCH, for years prominently connected with the educational work of Iowa, died at her home in Des Moines, January 30, 1898. Mrs. Hatch was born in Tarrytown, New York. At an early age she graduated from the Albany State Normal School and afterwards devoted her life to the profession of teaching. She brought to this work an enthusiasm and single-hearted devotion not often equaled. After years of successful labor in her native town, Yonkers, New York, Cleveland, Ohio, and Muscatine, Iowa, she removed to Des Moines, and had since 1877 been a teacher in this city. This gifted woman impressed her own strong character and highmindedness on countless young people, giving them the right start in life. The influence for good emanating from her earnest life cannot be estimated. Her ability received wide recognition in the State. She rendered most valuable service in the normal institute work of no less than twenty-three Iowa counties. She found time for some literary work of merit and published a number of short stories and poems.

CAPT. SPENCER J. BALL, well known in Mississippi river circles, died at Fort Madison, February 6, 1898, aged 82 years. He was born in the State of Virginia, September 29, 1815. He followed river life for forty-nine years, beginning at the age of 20 on the lowest round of the ladder and advancing to the station of pilot and captain. In 1834, in company with John Shaw, he built the first side-wheel steamer that plied the Upper Mississippi. In 1847 he purchased the *Mary Blanc*, a boat built in Burlington the same year, and engaged in the Keokuk and St. Louis trade. In 1849 he carried on his first trip up the Missouri river to St. Joseph 900 California gold seekers—"argonauts"—as passengers. Capt. Ball carried a pilot's license for every navigable stream emptying into the Mississippi, and it would be hard to estimate the vast number of people he brought into the frontier State of Iowa. For the last few years he had made his home in St. Louis.

CALEB FORBES DAVIS, an old and honored citizen of Keokuk, died in that city January 6, 1898. He was born in Clarksburg, West Virginia, in 1829, and removed to Keokuk in 1849. With the exception of one year he has since made that city his residence. He has been connected with various business enterprises in Keokuk, and has always been identified with its highest interests. For twenty-nine years he was president and director of the Keokuk Savings Bank. Mr. Davis was probably better informed on the early history of Southeastern Iowa than any other person in that part of the State. He was a liberal donor to the Historical Department here at the capitol. His library contained much valuable material and several original manuscripts relating to the early history and biography of Iowa, especially of Lee county. He was a collector in geology, natural history, Indian curios, etc. No one in that region had more friends or was held in higher respect and esteem.

MARKS JOHN BIDDLE PRIESTLEY, a resident of Des Moines for the past sixteen years, died at his home March 3, 1898. Mr. Priestley was born in Northumberland, Pennsylvania, November 17, 1823. It was in this place that his illustrious ancestor Joseph Priestley, the discoverer of oxygen gas and "the father of pneumatic chemistry," settled on coming to America in 1794. Mr. Priestley served with credit throughout the Mexican war, enlisting at Murfreesboro in the 3d Regiment of Tennessee Infantry.

At the time of his death he was secretary of the Iowa Association of Mexican War Veterans, and was one of the four surviving members living in this city. After the war Mr. Priestley engaged in the mercantile business in Northumberland for some years. In 1875 he was admitted to the bar. In 1882 he removed to Des Moines, where he has since been in the office of his son, the well known Dr. James T. Priestley. Mr. Priestley had been for years a prominent Mason.

DAVID W. JONES was born in Llandisyl, Cardiganshire, South Wales, September 21, 1821; he died at Manchester, Iowa, March 24, 1898. He was a practical machinist and manufacturer of woolen goods, having learned his father's trade before coming to this country. He crossed the Atlantic in 1843. After residing in various places he removed to Iowa, settling near Manchester, in 1857. In 1865 he erected the first and only woolen mill in that part of the State. This has become one of the chief industries of Delaware county, due to the perseverance, energy, practical knowledge and skill of its proprietor. Mr. Jones not only rose to a high and acknowledged position as a business man, but his personal characteristics made him esteemed and respected wherever he was known. Mrs. Jones, also a native of South Wales, is a sister of Mrs. Owen Bromley of Des Moines. *The Manchester Press* of March 31 devoted several columns to an interesting and appreciative tribute to the memory of this distinguished pioneer and most useful citizen.

HENRY MITCHELL McCULLY, representative in the 27th General Assembly, from Marion county, died at his home in Pella, March 8, 1898. He was born in Ohio, October 10, 1830, of Scotch-Holland descent. He came to Iowa in 1857. His life has been one of great activity, and much of his time has been devoted to various public duties. He served as justice of the peace of Lake Prairie township for several years; was mayor of Pella for seven terms; was a member of the board of supervisors for Marion county, and representative in the 19th and 27th General Assemblies. In all of these positions he distinguished himself by the faithful and capable discharge of every trust confided to him. He was in his seat a few weeks of the regular session of 1898, but his failing health at last constrained him to ask the House for "leave of absence for an indefinite period." Returning to his home he soon passed away.

RALPH GURLEY PHELPS, a well known lawyer of Atlantic, died March 10, 1898. Mr. Phelps was born in Monmouth, Illinois, January 26, 1846. He graduated with honors from Monmouth College in 1867. In 1868 he removed to Cass county, Iowa, and the year following settled in Atlantic where he had resided thirty years. No citizen has been more unselfishly active in promoting the welfare of the town. He was twice elected mayor. In politics Mr. Phelps was a Democrat and very influential in furthering the interests of his party. His ability as an orator, and a close and logical thinker were widely recognized. He was a man of fine literary tastes, a lover of books and learned in many directions. In Masonic circles he was especially esteemed and prominent, having served two years as Grand Master of the Grand Lodge of Iowa.

MRS. MINERVA C. DAY, wife of Judge James G. Day, died at her home in Des Moines March 20, 1898. Minerva C. Manly was born in Ohio April 3, 1836. In early life her parents removed to Allegheny City, and she received her education in Pittsburg. Later, she engaged in teaching in Steubenville, Ohio, and while there was united in marriage to James G. Day, December 1, 1857. The young people came immediately to Iowa and

settled in Afton, afterwards removing to Sidney, and in 1884 to Des Moines. Mrs. Day was a woman of great intelligence and public spirit, and a bright and original personality. She was a constant aid to her husband in his public life. A charter member of the Des Moines Woman's club, she held the office of historian from its organization until her death.

MRS. KATE THOMPSON was born in Jackson county, Missouri, October 10, 1836. She died at Oskaloosa, Iowa, February 16, 1898. This was a colored woman who was respected and esteemed by all who knew her. She was born a slave and spent the first twenty-seven years of her life in bondage. She was bought and sold five different times, her first husband at one of these sales going to one buyer and herself to another. Her freedom resulted from President Lincoln's Emancipation Proclamation. She came to Iowa, with her four children, after attaining her freedom, and lived awhile in Ringgold county. She was married to Mr. Andy Thompson November 16, 1866, and resided for many years in Decatur county. She was a devoted member of the Methodist Episcopal church for many years.

JOSEPH ALISON MCKEMEY, a resident of Iowa for nearly sixty years, died at his home in Fairfield, January 10, 1898. "Father" McKemey was born in Pennsylvania, March 27, 1815. He came to Burlington in 1839. He removed to Jefferson county in 1842, and three years later took up his residence in Fairfield where he spent his days. In 1857 he was elected county treasurer and served six years in that capacity. Mr. McKemey was a man of strong character, and pronounced and independent views. His life was a useful and active one, and he wielded great influence in the affairs of town and county. He was a most genial and sunny-hearted old gentleman, always happy in narrating his recollections of early Iowa and the West.

HENRY S. HETHRINGTON was born in Dauphin county, Pennsylvania, February 9, 1820; he died in Dubuque, January 15, 1897. He came to this State in 1843, but did not settle in Dubuque until two years later. His calling was that of a contractor and builder. He was a man of remarkable energy and was connected with many of the most important business enterprises which have added to the wealth and consequence of that city. He was elected mayor of Dubuque in 1858, and was so distinguished in his administration of his official duties that he was generally mentioned down to the day of his death as "Mayor Hethrington."

MRS. MARGARET KELLY, one of the few centenarians of this State, died at Carroll, February 25, 1898, at the remarkable age of 108 years. Mrs. Kelly was born in Ireland in 1790, and came to America in 1866. In the seventies she removed to Carroll where she has since made her home with her daughter. *The Carroll Herald* speaking of her long life says: "One scarcely grasps the span of years included in the good lady's life. When she was born there were no cook stoves; window glass was not in general use, and our first president had served less than half of his first term."

THOMAS EDWIN BRYAN died in Charles City December 23, 1897. He was born in Ohio December 2, 1843. Mr. Bryan served with credit in the late war, as a member of Co. K, 21st Regiment, Iowa volunteers. In 1869 he settled in Charles City, and in 1870 removed to Nora Springs. He occupied positions of trust in the county, discharging the duties devolving upon him with strict integrity. He was appointed postmaster at Nora Springs in 1879 and in 1883 resigned this position in order to accept that of county treasurer. He remained in this office four years.

HORACE G. PARKER, a pioneer identified with the growth and history of Cerro Gordo county, died at Mason City, December 16, 1897. Mr. Parker was born in Oswego county, New York, July 20, 1829. In 1855 he came west and settled at Clear Lake, where he was elected one of the first justices of the peace. In 1859 he removed to Mason City to discharge the duties of county treasurer. In 1862-'67, including the critical period of the war, he was editor and proprietor of *The Cerro Gordo Republican*. He served as State senator in the 19th General Assembly.

MRS. ELIZABETH STAFFORD, for over sixty-three years a resident of Dubuque, died in that city February 26, 1898. She was born in Galena in 1833, and the same year her parents settled in the frontier mining camp of Dubuque. Here her mother kept the first boarding-house, called the "Farmers' Home." Mrs. Stafford's husband was also an early settler. In 1839 he ran the first ferry across the river from the Iowa side, and the next year was employed on Gen. Jones' horse-boat. Mrs. Stafford was well known and highly respected.

CHARLES BALDWIN, a resident of Van Buren county for 57 years, and one of the early and well known pioneers of Keosauqua, died January 28, 1898. Mr. Baldwin was born in Ohio, July 18, 1818. In 1841 he settled in Van Buren county, Iowa. He served as clerk of the court in 1854-55. At one time he engaged in the practice of law in partnership with his brother-in-law, the late Judge George G. Wright, and later with Judge H. H. Trimble. During President Cleveland's first administration he served as postmaster at Keosauqua.

MRS. SUSANNA BOONE, a pioneer of Dallas county, died on her farm January 22, 1898, at the age of 87. She was born in Indiana in 1814. In 1847 she removed with her husband, a cousin of Daniel Boone, to Dallas county. It was for him that the town of Booneville was named. The old log hut, where they endured the hardships of pioneer days, still stands. By the practice of strict economy they acquired a fine farm of 2,000 acres, of which she had the entire management after her husband's death thirty-five years ago.

MRS. MAJ. GEN. BENJ. S. ROBERTS died at her home at Fort Hamilton, New York, on the 25th of March, 1898. She came with her husband to this State in 1835, at which time he was 2d Lieut. in the 1st U. S. dragoons commanded by Col. Henry Dodge. Lieutenant Roberts resigned in 1839 and was in civil life until 1846, when he entered the army as 1st Lieutenant of Mounted Rifles. He distinguished himself in the Mexican war and also in the War of the Rebellion, rising to the rank of Major-General of Volunteers.

DR. WARREN C. HOBBS was born in Kentucky, July 4, 1814, and died in New London, Iowa, March 3, 1898, aged 84 years. He was one of the pioneers of Des Moines county, having, with his young wife, settled there as early as 1839. In 1846 he removed to New London, where for most of the time since he has made his home. His oldest son, Hon. Wesley C. Hobbs, whose death occurred in 1884, was widely known in southeastern Iowa as an able lawyer and orator.



Yours very truly
Cyrus C. Carpenter

GOV. CYRUS C. CARPENTER.

This engraving was copied from a photograph of Mr. Carpenter some years before his election as Governor, and near the time he served as a private in the Spirit Lake Expedition.